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Council Debates

Official Report

West Bengal Legislative Council

Eighth Session (December), 1955

(From 5th to 21st December, 1955)

The 5th, 6th, 19th, 20th and 21st
December, 1955

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GOVERNMENT OF WEST BENGAL

GOVERNOR:

DR. HARENDRA COOMAR MOOKERJEE.

MEMBERS OF THE COUNCIL OF MINISTERS:

- The Hon'ble Dr. BIDHAN CHANDRA ROY, Chief Minister and Minister-in-charge of the Home, Development, Finance and Commerce and Industries Departments.
- The Hon'ble JADABENDRA NATH PANJA, Minister-in-charge of the Cottage and Small Scale Industries Department.
- The Hon'ble HEM CHANDRA NASKAR, Minister-in-charge of the Fisheries and Forests Department.
- The Hon'ble AJAY KUMAR MUKHERJI, Minister-in-charge of the Irrigation and Waterways Department.
- The Hon'ble SYAMA PRASAD BARMAN, Minister-in-charge of the Excise Department.
- The Hon'ble KHAGENDRA NATH DAS GUPTA, Minister-in-charge of the Works and Buildings Department.
- The Hon'ble RADHAGOBINDA ROY, Minister-in-charge of the Tribal Welfare Department.
- The Hon'ble RENUKA RAY, Minister-in-charge of the Refugee Relief and Rehabilitation Department.
- *The Hon'ble PRAFULLA CHANDRA SEN, Minister-in-charge of the Food, Relief and Supplies and Co-operation Departments.
- The Hon'ble Dr. RAFIUDDIN AHMED, Minister-in-charge of the Agriculture and Animal Husbandry Department.
- The Hon'ble PANNALAL BOSE, Minister-in-charge of the Education Department.
- The Hon'ble KALI PADA MOOKERJEE, Minister-in-charge of the Labour Department.
- The Hon'ble SATYENDRA KUMAR BASU, Minister-in-charge of the Judicial and Legislative Departments, and Department of Land and Land Revenue.
- The Hon'ble ISWAR DAS JALAN, Minister-in-charge of the Local Self-Government Department.

MINISTERS OF STATE:

- The Hon'ble Dr. AMULYADHAN MUKHARJI, Minister of State in charge of the Medical and Public Health Department.
- The Hon'ble Dr. JIBAN RATAN DHAR, Minister of State in charge of the Jails Branch of the Home Department.

*Member of the West Bengal Legislative Council.

DEPUTY MINISTERS:

- Sj. SATISH CHANDRA ROY SINGH, Deputy Minister for the Transport Branch of the Home Department.
- Sj. SATYENDRA CHANDRA GHOSH MAULIK, Deputy Minister for the Defence Branch of the Home Department.
- Sj. GOPIKA BILAS SEN GUPTA, Deputy Minister for the Publicity and Public Relations Branch of the Home Department and Chief Government Whip.
- Sj. TARUN KANTI GHOSH, Deputy Minister for the Local Works Schemes and Township Branch of the Development Department and for the Relief Branch of the Food, Relief and Supplies Department.
- Sj. SOWRINDRA MOHAN MISRA, Deputy Minister for the Commerce and Industries Department.
- Sj. TENZING WANGDI, Deputy Minister for the Tribal Welfare Department and for the Excise Department.
- Sj. BIJESH CHANDRA SEN, Deputy Minister for the Rehabilitation Branch of the Refugee Relief and Rehabilitation Department.
- Sj. SMARAJIT BANDYOPADHYAY, Deputy Minister for the Food Branch of the Food, Relief and Supplies Department.
- Sj. RAJANI KANTA PRAMANIK, Deputy Minister for the Supplies Branch of the Food, Relief and Supplies Department.
- Janab ABDUS SHOKUR, Deputy Minister for the Agriculture and Animal Husbandry Branch of the Department of Agriculture, Animal Husbandry and Forests.
- *Sj. CHITTARANJAN ROY, Deputy Minister for the Co-operation Department and for the Cottage and Small Scale Industries Department.
- Sj. PURABI MUKHOPADHYAY, Deputy Minister for the Women's Education Branch of the Education Department and for the Relief Branch of the Refugee Relief and Rehabilitation Department.
- Sj. SHIVA KUMAR RAI, Deputy Minister for the Labour Department.

WEST BENGAL LEGISLATIVE COUNCIL

PRINCIPAL OFFICERS AND OFFICIALS.

The Chairman The Hon'ble Dr. SUNITI KUMAR CHATTERJI.

Deputy Chairman .. Dr. PRATAP CHANDRA GUHA RAY.

SECRETARIAT.

Secretary to the Council .. Sj. AJITA RANJAN MUKHERJEA, M.Sc., B.L.

Special Officer Sj. CHARU CHANDRA CHOWDHURI, B.L., Advocate.

Assistant Secretary .. Sj. AMIYA KANTA NIYOGI, B.Sc.

Registrar Sj. SYAMAPADA BANERJEA, B.A.

Legal Assistant Sj. BIMALENDU CHAKRAVARTY, B.COM., B.L.

Editor of Debates .. Sj. KHAGENDRANATH MUKHERJI, B.A., LL.B.

ALPHABETICAL LIST OF MEMBERS.

A

- (1) Abdul Halim, Janab. (Elected by M.L.As.)
- (2) Abdur Rashid, Janab Mirza. (Elected by M.L.As.)

B

- (3) Bagchi, Dr Narendranath. [Elected by M.L.As.]
- (4) Bandopadhyaya, Sj. Tarakdas. [Nadia-Murshidabad (Local Authorities).]
- (5) Banerjee, Sj. Sunil Kumar. [Hooghly-Howrah (Local Authorities).]
- (6) Banerjee, Sj. Tara Sankar. [Nominated.]
- (7) Banerji, Sj. Bankim Chandra. [Elected by M.L.As.]
- (8) Banerji, Sj. Sankar Das. [Nominated.]
- (9) Basu, Sj. Gurugobinda. [Nominated.]
- (10) Bhattacharya, Dr. Bijanbihari. [Burdwan Division (Teachers).]
- (11) Bhattacharyya, Sj. Nirmal Chandra. [Calcutta (Graduates).]
- (12) Bhuwarka, Sj. Ram Kumar [Elected by M.L.As.]
- (13) Bose, Sj. Subodh Kumar. [Elected by M.L.As.]

C

- (14) Chakrabarty, Dr. Monindra Mohan. [Elected by M.L.As.]
- (15) Chakravarty, Sj. Hridoy Bhusan. [Cal.-24-Parganas (Local Authorities).]
- (16) Chatterjea, Sj. Devaprasad. [Cal.-24-Parganas (Local Authorities).]
- * (17) Chatterji, Dr. Suniti Kumar. [West Bengal South (Graduates).]
- (18) Chattopadhyay, Sj. K. P. [Elected by M.L.As.]
- (19) Choudhuri, Sj. Annada Prosad. [Burdwan Division North (Local Authorities).]

D

- (20) Das, Sjkta. Santi. [Nominated.]
- (21) Deb, Sj. Narasingha Malla Ugal Sanda. [Nominated.]
- (22) Debi, Sjkta. Anila. [Presidency Division North (Teachers).]
- (23) Dutt, Sjkta. Labanyaprova. [Nominated.]

G

- (24) Ghose, Sj. Kamini Kumar. [Calcutta (Teachers).]
- (25) Guha, Sj. Prafulla Kumar. [Cal.-24-Parganas (Local Authorities).]
- † (26) Guha Ray, Dr. Pratap Chandra. [Elected by M.L.As.]

*Chairman.

†Deputy Chairman.

Note.—Sj. stands for Shrijut and Sjkta. stands for Shrijukta.

M

- (27) Mahanty, Sj. Charu Chandra. [Burdwan Division North (Local Authorities).]
- (28) Majumdar, Sj. Sudhirendra Nath. [Cal.-24-Parganas (Local Authorities).]
- (29) Misra, Sj. Sachindra Nath. [West Bengal North (Local Authorities).]
- (30) Mohammad Jan, Janab Shaikh. [Nominated.]
- (31) Mohammad Sayeed Mia, Janab. [Elected by M.L.As.]
- (32) Mookerjee, Sj. Kamala Charan. [Elected by M.L.As.]
- (33) Mookerjee, Sj. Kali Pada. [Cal.-24-Parganas (Local Authorities).]
- (34) Mukherjee, Sj. Kamada Kinkar. [Elected by M.L.As.]
- (35) Musharruf Hossain, Janab. [Nominated.]

N

- (36) Nahar, Sj. Bijoy Singh. [Elected by M.L.As.]

P

- (37) Prasad, Sj. R. S. [Darjeeling (Local Authorities).]
- (38) Prodhan, Sj. Lakshman. [Elected by M.L.As.]

R

- (39) Rai Choudhuri, Sj. Mohitosh. [Elected by M.L.As.]
- (40) Roy, Sj. Chittaranjan. [West Bengal West (Graduates).]
- (41) Roy, Sj. Satya Priya. [Presidency Division South (Teachers).]
- (42) Roy, Sj. Surendra Kumar. [Elected by M.L.As.]

S

- (43) Sanyal, Sj. Charu Chandra. [West Bengal North (Graduates).]
- (44) Sahaogi, Sj. Pannalal. [Nominated.]
- (45) Sarkar, Sj. Pranabeswar. [Burdwan Division North (Local Authorities).]
- (46) Sawoo, Sj. Sarat Chandra. [Cal.-24-Parganas (Local Authorities).]
- (47) Sen, Sj. Debendra. [Elected by M.L.As.]
- (48) Sen, Sj. Prafulla Chandra. [Hooghly-Howrah (Local Authorities).]
- (49) Singha, Sj. Biman Behari Lall. [Burdwan Division North (Local Authorities).]
- (50) Sinha, Sj. Kali Narayan. [Nadia-Murshidabad (Local Authorities).]
- (51) Sinha, Sj. Rabindralal. [Hooghly-Howrah (Local Authorities).]

COUNCIL DEBATES

Monday, the 5th December, 1955.

THE COUNCIL met in the Legislative Chamber of the Legislative Buildings, Calcutta, on Monday, the 5th December, 1955, at 10 a.m., being the first day of the Eighth Sessions, under the Constitution of India.

Mr. Chairman (The Hon'ble Dr. SUNITI KUMAR CHATTERJI) was in the chair.

[10—10.5 a.m.]

Panel of Presiding Officers.

Mr. Chairman: In accordance with the provisions of rule 7 of the West Bengal Legislative Council Procedure Rules, I nominate the following members of the Council to form a panel of four Presiding Officers for the current session:—

- (1) Sj. Tarakdas Bandyopadhyaya,
- (2) Sj. Annada Prasad Choudhuri,
- (3) Sj. Nirmal Chandra Bhattacharyya, and
- (4) Sja. Labanyaprova Dutt.

Unless otherwise arranged the senior member among them present in the above order will preside over the deliberations of this Council in my absence and in the absence of the Deputy Chairman.

QUESTION

(to which oral answer was given)

Re-employment of retired Judicial Officers in Labour Department

1. Sj. Charu Chandra Sanyal: Will the Hon'ble Minister-in-charge of the Labour Department be pleased to state how many retired Judicial Officers were re-employed during the years 1953, 1954 and 1955 (up to date) in the Labour Department?

Minister-in-charge of the Labour Department (the Hon'ble Kali Pada Mookerjee):

1953—1.

1954—Nil.

1955—2.

LAYING OF ORDINANCES.

The Bengal Finance (Sales Tax) (Second Amendment) Ordinance, 1955

The Hon'ble Dr. Bidhan Chandra Roy: Sir, I beg to lay before the Council the Bengal Finance (Sales Tax) (Second Amendment) Ordinance, 1955 (West Bengal Ordinance No. VII of 1955), under Articles 213(2)(a) of the Constitution of India.

The Damodar Valley Corporation (West Bengal Amendment) Ordinance, 1955.

The Hon'ble Ajoy Kumar Mukherji: Sir, I beg to lay before the Council the Damodar Valley Corporation (West Bengal Amendment) Ordinance, 1955 (West Bengal Ordinance No. VIII of 1955), under Article 213(2)(a) of the Constitution of India.

The West Bengal Sales Tax (Amendment) Ordinance, 1955.

The Hon'ble Dr. Bidhan Chandra Roy: Sir, I beg to lay before the Council the West Bengal Sales Tax (Amendment) Ordinance, 1955 (West Bengal Ordinance No. IX of 1955), under Article 213(2)(a) of the Constitution of India.

GOVERNMENT RESOLUTION ON THE REPORT OF THE STATES REORGANISATION COMMISSION.

Mr. Chairman: Before the resolution is taken up I would like to bring it to the notice of the honourable members that I have received notices of four amendments to this Resolution. These amendments I consider to be premature and I would like to make a statement in that connection.

I have received these amendments to the Resolution proposed to be moved by the Chief Minister. I am in doubt whether the amendments are strictly in order inasmuch as the main Resolution is nothing more than one to consider the recommendations of the States Reorganisation Commission and to forward the proceedings to the India Government for their consideration. The Resolution does not seek either to approve or to disapprove the recommendations of the Commission; the inclusion or exclusion of any territory is not within the scope of the main Resolution, and therefore to my mind it seems any amendment to that effect would be irrelevant. Further, there are inconsistent and almost contradictory amendments and it would be difficult for the House to give a verdict one way or the other in definite terms. To put such amendments to the House would put it in a quandary and may result in inconsistent verdicts.

[10-5—10-10 a.m.]

I think, therefore, I should follow the precedent of the West Bengal Legislature at the time of the discussion of the Draft Constitution when amendments to the text of the articles were disallowed, the main motion being one for the discussion of the Draft Constitution. In the circumstances, I think I ought not to allow the amendments.

Besides, the entire proceedings of the debate, that is to say, whatever the members desire to say about the recommendations of the Commission, would be forwarded to the India Government and the India Government would be in a position to know the opinions of the members. No definite conclusion of our Legislature is necessary at this stage, having regard to the fact that the recommendations would be considered in the light of the opinions expressed by all the Legislatures in India, and only thereafter definite conclusions would be reached by the India Government. The time for giving a definite verdict would arise when a Draft Bill would be introduced in the Indian Parliament on such conclusions, and the Legislatures would be asked to give their verdicts. The purpose of the members will be well served if at the conclusion of their speeches, they summarise what exactly they want in the matter of distribution of the territories and their concrete proposals, which I will direct to be printed fully in the proceedings. I hope this will meet with the members' wishes.

Dr. Monindra Mohan Chakrabarty: On a point of privilege, Sir. I have seen different procedures being adopted in different legislatures. Do you not think that in view of this and in view of the right of every member to introduce an alternative resolution, it would be better to allow the members to bring it either in the form of amendments or in the form of separate resolutions.

Mr. Chairman: As I expressed earlier, I consider this stage to be premature for this. This is only discussion of the proposals made by a Commission and not by the Government, and you would be perfectly at liberty to make whatever recommendations you would like to make at this stage and your specific proposals will all be forwarded to the Government of India. But when the Government of India's proposals will come up before our State Government in the form of a Bill and the views of the different legislatures will be taken, then there will be scope for amendment for such action as this House would think proper. So, I consider the time is premature for amendment, and I think that these amendments are now quite out of order.

Dr. Monindra Mohan Chakrabarty: I beg to submit that the way the resolution to be tabled by the Chief Minister has been drafted is vague and, therefore, it would be better if we were allowed to bring in resolutions and the House decided upon the course to be adopted.

Mr. Chairman: The Chief Minister will, of course, explain, but in these amendments there are certain contradictory statements and the House will be put to very great difficulty to decide immediately.

Dr. Monindra Mohan Chakrabarty: Let the House judge.

Mr. Chairman: I rule that these amendments are not called for and they are out of order.

Sj. Nirmal Chandra Bhattacharyya: On a point of privilege, Sir. The point of privilege relates to the question of procedure. I think, Sir, fruitful discussion would have been facilitated if the memorandum that the Government of West Bengal submitted to the States Reorganisation Commission were circulated to the members. In the background of that memorandum we might have discussed it with greater profit than otherwise. I hope, Sir, that you will request the Chief Minister to supply to the members the memorandum that he has submitted on behalf of the Government of West Bengal to the States Reorganisation Commission.

Mr. Chairman: I think Dr. Roy will make a statement in that connection for the convenience of members.

The Hon'ble Dr. Bidhan Chandra Roy: I beg to move the resolution which stands in my name, viz.—

That this Council takes into consideration the Report of the States Reorganisation Commission appointed by the Government of India in the Ministry of Home Affairs Resolution No. 53/69/53-Public, dated the 29th December, 1953, and recommends that the proceedings of the discussion be forwarded to the Government of India for their consideration.

The operative part of it is that this Council recommends that discussion should take place and the proceedings of the discussion be forwarded to the

Government of India for their consideration. My friend says it is a vague resolution. It is intended to be vague in the sense that it does not refer to a particular proposal because at the present moment we have no proposal before the House.

Sir, if you look at Article 3 of the Constitution, you will find—it says definitely—that Parliament may by law form a new State by separation of territory from any State or by uniting two or more States or parts of States or by uniting any territory to a part of any State:

Provided that no Bill for the purpose shall be introduced in either House of Parliament except on the recommendation of the President and unless, where the proposal contained in the Bill affects the boundaries of any State or States specified in Part A or Part B of the First Schedule or the name or names of any such State or States, the views of the Legislature of the State or, as the case may be, of each of the States both with respect to the proposal to introduce the Bill and with respect to the provisions thereof have been ascertained by the President.

[10-10—10-15 a.m.]

This is the present Constitution. As you are all aware probably, there will be a change in the Article to limit the period during which the State Legislature may give its opinion. But the State Legislature can only give its opinion if the Bill is before the House. You will ask why this motion has been brought. This motion has been brought before the House in pursuance of a letter which this Government received from the Home Ministry, Government of India, which runs as follows: "A copy of the Report of the State Reorganisation Commission was despatched to you on the 30th September. During this period, i.e., between 30th September and 17th October you might have given thought to the recommendations made by the Commission and their likely reaction on your State. The Report has now been released for publication. Before the Government of India formulate their view they are naturally anxious to have the opinion of the State Government on the general scheme of reorganisation proposed by the Commission, and the specific proposals by which particular State Government might be affected." You will notice from this letter that opinion is required from the State Government. "If any changes are proposed in respect of your State in the Bill which will be placed before Parliament in due course, your State Legislature will have the opportunity under the Constitution of expressing its views later. You may however like to have a preliminary consultation with your Legislature even before that stage is reached. I shall be grateful if the views of your Government—and if you choose to consult your Legislature at this stage—along with those of the Legislature are communicated to the Government of India not later than 30th November, 1955." I asked for time because I was not able to convene the Legislature due to other pre-occupations before today.

Now, Sir, this letter was followed by a meeting of Chief Ministers on the 22nd and 23rd October at which the time-table for giving effect to the reorganisation proposals was given, and I wished to share with my friends here the decision arrived at, at that meeting. "It will be desirable to bring the new units into being before the 1st October, 1956." That means Parliament should be enabled to pass the reorganisation proposals finally by the end of May, 1956. In order to secure this however it is proposed that the State Governments may be advised to convey their reaction to the proposals with particular reference to the views of your State and after preliminary consultation with the State Legislature if necessary by the 20th November, 1955. This date has been extended.

Parliament must complete its deliberations by the 22nd December, 1955. The Government of India decision on the Report may be taken by the 7th January, 1956. Draft legislation must be taken in hand now but will be completed by 15th January, 1956. Formal consultation with the State Legislature under Article 3 of the Constitution must be completed by the middle of February, 1956. The States Reorganisation Bill may be introduced in Parliament by the end of February, 1956. The Bill may be referred to a Select Committee which may be asked to submit their report by April, 1956.

[10-15—10-20 a.m.]

The States Reorganisation Bill should be passed by the end of May, 1956, and the months of June, July, August and September may be utilised for taking measures preliminary to the formation of the new units, so that the new units may be functioning by the 1st of October, 1956. That is the position. I want to make it clear that although an amendment, as has been suggested, is not possible on any specific issue, I would request the members of the House to formulate their ideas, generally speaking, on the report of the States Reorganisation Commission not merely so far as Bengal is concerned, but any other ancillary subjects, so that the reports of these discussions may be sent to the Parliament before the 15th of December. I have received a telegram saying that we should send before the 10th of December the report of the discussion of the members of the Legislature as also the opinion of the Government, so that the Parliament may have before them complete reports of the discussion that takes place in the Legislature in the State. It has been suggested that in other States discussion has taken place on specific issues. I am not bound down by what other States do, but the direction of the Government as well as the decision of the Chief Ministers' Conference was definite that this is merely a preliminary discussion on the States Reorganisation Commission's report. As we have suggested, Sir, in 1948 we followed the same procedure with regard to the Constitution Bill. Although it was then before us in the form of a Bill which was proposed by the Constituent Assembly, yet we thought best to have the consideration of that in two parts. First of all, we had the Bill discussed generally speaking, and then specific proposals in the Bill were discussed and voted upon. In this case there is no proposal before us. There are recommendations not to us but recommendations made to the Government of India by the Commission appointed by the Government, and, therefore, in the natural course of things all that the legislatures are to do is to give their points of view with regard to the proposals of the States Reorganisation Commission.

Sir, with regard to the proposal of Professor Nirmal Bhattacharyya that we should give a copy of the memorandum of the Government of Bengal, I should say that that copy is a huge volume which was given to the States Reorganisation Commission, but for the satisfaction of my friend I may give an idea of what I had put on behalf of the Government of Bengal before the special committee appointed to consider the proposals of the boundary adjustment. I did so in order to make the position of West Bengal Government clear. So far as our proposals regarding the report was concerned, I quoted several sections of the Report in order to justify the point of view that we had taken. I quoted paragraph 633 of the Report where the report says "partition has created many problems for West Bengal. Apart from the influx of refugees from Pakistan which may now be estimated to about three and a half millions", I am just reading out the copy of the report.

[10-20—10-25 a.m.]

“The entire communication system of Bengal has been disrupted since 1947. The northern districts of the Presidency Division have become less easily accessible from Calcutta, and West Bengal is now the only Part A State which is geographically not a compact and integrated unit.” This is the opinion of the States Reorganisation Commission and although their recommendation may be different and yet we cannot ignore the facts which they themselves have admitted regarding certain points about West Bengal.

In paragraph 634 the Report says “The break of gauge north of the Ganga, the inadequacies of the Assam rail link and the comparative inaccessibility of the eastern areas of the Malda, West Dinajpur districts of West Bengal will still remain problems which will have to be solved independently of the Mokameh Project”.

In paragraph 642 of the Report the Commission says “Many of the arguments advanced against the proposals to create a Jharkhand State are also regarded as relevant to the proposal to transfer the rich mineral and industrialised areas of Rajmahal, Manbhum and Dhalbhum to West Bengal. This transfer, it is argued, is bound to dislocate the economy of residuary Bihar, and it will upset the balance between agriculture and industry”.

My comments or the comments of the West Bengal Government are that from the above it will be seen that the Commission realise the difficulties of the West Bengal State regarding proper administration. In paragraph 642 which I have quoted, they have stated that if the claim of Bengal for the transfer of areas in Rajmahal, Manbhum and Dhalbhum to West Bengal is granted it is bound to dislocate the economy of residuary Bihar and will upset the balance between agriculture and industry. In this paragraph two phrases occur which do not bear the interpretation that has been put to the demand of West Bengal Government. This Government did not propose to transfer the rich mineral bearing industrialised area of Rajmahal, Manbhum and Dhalbhum. This Government suggested that in the case of Manbhum, Dhanbad town which has a large industrial area should be exempted and the remaining portion of Manbhum which is predominantly Bengali speaking should be given to West Bengal. Similarly in the case of Dhalbhum, the portions occupied by the Tata Works were excluded from the demand of West Bengal Government. In the opinion of the Commission any such transfer will cause dislocation of the economy of residuary Bihar. West Bengal however desire to point out that its economy has, since the partition in 1947, fallen below zero. In order to make-up the leeway regarding the various social services for the development of the State during the last seven or eight years the West Bengal Government has spent nearly 85 crores. They have borrowed large sums of money for this purpose. But on revenue account there is always a deficit, a deficit between 8 and 10 crores, between income and expenditure. Therefore this Government is already very poor. The areas of Manbhum and Dhalbhum, if transferred to West Bengal and after they are developed will help to some extent in mitigating this difference between the income and expenditure of this State.

[10-25—10-30 a.m.]

In the opinion of the West Bengal Government the areas in Manbhum, Dhalbhum and Rajmahal districts which form the eastern-most boundaries of the Bihar State have not been developed by Bihar for the last 40 years since 1912 when this State was formed because it is not

in the interest of Bihar to develop these areas through river projects, which is the only method of developing the areas, and which is very costly but which will not benefit Bihar directly but will benefit Bengal. In paragraph 646 the Commission says "we feel, however, quite apart from the special background of the West Bengal claim and the psychological aspect there is no denying the fact that the present distribution of territories between Bihar and West Bengal is such as to give rise to some real administrative difficulty from the point of West Bengal". "It may be possible, as the Bihar Government has contended, to mitigate these difficulties within the existing Constitutional and administrative framework." This has a reference to the suggestion of Bihar Government that instead of giving the land to the east of Mahananda they might make the road, the National Highway, a common highway for the use of all. The Bihar Government has contended to mitigate these difficulties within the existing Constitution and administrative framework. The suggestion of the Bihar Government was that the administrative framework could be so devised that there should be no difficulty in Bengal utilising the road—the National Highways—for the purpose of communication. The Commission says however that "now that as an opportunity has presented itself it will be desirable to find a more lasting solution." The Commission has emphasised the difficulties of West Bengal's administration in not having communication between the different parts of the State which have to be removed. In order to remove the difficulty the Commission has stated that a portion of the Kishanganj subdivision and the Gopalpur revenue thana have to be transferred to West Bengal. This will enable West Bengal to construct feeder roads. I want to emphasise that particular point—"this will enable the West Bengal Government to construct feeder roads between the National Highways and other territories and control road traffic between Darjeeling and other places in the north of Mahananda avoiding at least the cumbersome and inconvenient administrative arrangements and by liberalising the present practice regarding road transport" and control over the Indo-Pakistan border running along its entire length. From an administrative point of view this will be both convenient and desirable. That is what the Commission has said. From the above it will be noted that the Commission realised the difficulties of the Government of West Bengal and they provided a corridor which will enable West Bengal (a) to construct feeder roads connecting the National Highway with the other territories, (b) to control road traffic with Darjeeling and other areas and (c) to control the Indo-Pakistan border along its entire length. In paragraph 652 the Commission examined the suggestion that the entire area to the east of the river Mahananda in the Purnea district should be transferred from Bihar to West Bengal in order to provide for geographical contiguity between the two disconnected parts of West Bengal. Then the Commission proceeded to suggest that the portion of the Kishanganj subdivision which is to the east of the river Mahananda and the portion of the Gopalpur revenue thana contiguous to the territory mentioned and extending down to the National Highway in this thana should be transferred to West Bengal. The actual delimitation of the new boundary will have to be settled after a detailed survey. The Government of West Bengal have urged that if the portion of the Kishanganj subdivision to the east of river Mahananda be taken then very little connection would be provided between Darjeeling and other districts. If the river Mechi which runs into Mahananda be taken as the western boundary then the whole of the Darjeeling district will be connected with other districts of West Bengal—Dinajpur and Malda. Therefore, the Government of West Bengal urge to the Government of India that it should be pleased to take the river Mechi as the western limit.

[10-30—10-40 a.m.]

The West Bengal Government further point out that while the Commission have indicated that the National Highways should be the lower boundary of the area of Purnea district to be transferred, the portion of Gopalpur thana which is to the east of the river Mahananda until the river gets into the district of Malda should be transferred to West Bengal in order to provide a feeder road from Malda as well as from Dinajpur.

With regard to the question of settling refugees in the area to be transferred from Purnea district, the West Bengal Government is prepared to give an undertaking that no refugee will be settled there unless it be by mutual agreement with the local people. It will be recalled that in this part of Purnea district the actual density of population is between 650 and 700. The area is not a very productive area. Therefore, in any case it would not be possible for us to have any large settlement of refugees there. What settlement we have in Purnea district has been found to be unsatisfactory.

We now come to the question of Santal Parganas. The question of the affinity of the Santals residing in Rajmahal district with those residing in Birbhum district has not been given sufficient importance by the Commission, nor have they recognised that the Bengali influence in Santal Parganas is of much importance, but they have incidentally rejected the view which the West Bengal Government took for the transfer of the catchment areas along with the course of the river Ajoy which rises in Santal Parganas. The West Bengal Government have no desire to take the coalfields of Rajmahal district, but they claim sufficient area in Rajmahal district which could provide for the construction of a dam in the river Ajoy and the area to be submerged behind it. The experience of the West Bengal Government regarding the construction and completion of the dam in Mayurakshi has been so bitter and ultimately found to be so expensive that the West Bengal Government feel that all lands required for this river valley project should be entirely under the control of the West Bengal Government. This river often floods areas in Birbhum and Burdwan districts and by providing for a proper control of the river a large part of the Birbhum district which is now eroded will be saved from erosion. The Commission have indicated in paragraph 658 of their Report that Manbhum district will be divided into two parts—one above the river Damodar and the other below the river. In regard to the portion above the river Damodar they have indicated that there is a very big growing industrial area round about Dhanbad town. They have said that there is no case for the transfer of Dhanbad town to West Bengal. We do not want that Dhanbad town should be transferred to West Bengal but the remainder of the area above the river Damodar, which is predominantly Bengali-speaking, should be transferred to West Bengal. There seems to be no clear reason why the Chas thana of Purulia district should not be transferred. It has been suggested that the area is not Bengali-speaking but the West Bengal Government is of the view that this is not a correct appraisal of the situation.

We now come to the Dhalbhum subdivision. It has been admitted by the Commission that from the linguistic point of view Singhbhum district is the meeting ground of five languages. But in discussing this part, in paragraph 667, the Commission have discussed the problem of the whole of Singhbhum—that is, Singhbhum Sadar and Dhalbhum,—even so neither Singhbhum Sadar nor Dhalbhum is predominantly Hindi-speaking. “Ho” language has the largest language concentration in the area. Next comes Uriya; and next comes Bengali. Orissa have put forward a strong claim

to the Kharswan and Seraikella area and the Sadar subdivision of Singhbhum. West Bengal Government are not aware what decision will be taken regarding Kharswan and Seraikella. These two areas are definitely Uriya-speaking and the claim of Orissa regarding them may be reconsidered. If this claim is accepted, then Dhalbhum subdivision will be an enclave for Bihar. In any case, West Bengal desire to point out, as the Commission has said, that Dhalbhum considered separately, Bengali is the largest language group. There is no reason why it should not be linked up with the Midnapore district of West Bengal.

That is the note that I have sent to the Special Committee for reconsideration of the proposals.

I want to say that from time to time between the years 1928 and 1945 the Congress have reaffirmed their adherence to the linguistic principles of distribution of territory. The drafting committee to the Constituent Assembly recommended the formation of the Linguistic Provinces Commission, known as the Dar Commission. This Commission reported to the Constituent Assembly in December, 1948. The Commission have felt that in forming Provinces the emphasis should be primarily on administrative convenience. The homogeneity of language should enter into consideration only as a matter of administrative convenience. I am quoting the Dar Commission. The Commission emphasised that everything which helped the growth of nationalism had to go forward and everything which impeded it had to be rejected or should stand over. Among many other factors which should be given due weight the Commission mentioned history, geography, economy and culture. All these factors having been taken into consideration if any State possesses also linguistic homogeneity that would be an additional advantage. With the advent of independence India took a firm resolve to develop this country and its people so that India could become a welfare State with equal opportunities for all to develop. This postulates that no part of the country, no group of people should be allowed to remain undeveloped. To develop an area it is necessary that the people of that area are enthused to take an active part in such development. Linguistic affinity among the people of the area should be in abundance so that the work of co-operative development proceeds rapidly. On the other hand, any effective development is only possible if there are facilities for quick approach to these different parts and communications are easy. These are the supreme overriding considerations which should guide and control any proposal for readjustment of territories. The possessive instinct of individuals within a State should be suppressed if you are to develop the country. For these reasons we not only support the recommendations of the States Reorganisation Commission but also plead for a more generous approach than envisaged by the States Reorganisation Commission in the readjustment of boundaries between West Bengal and Bihar.

Mr. Chairman: The resolution is now open for discussion.

The Hon'ble Dr. Bidhan Chandra Roy: May I suggest to my friends that they be as specific in their opinions as possible and that they may kindly try to be succinct so that the Report may be manageable—otherwise it would lose its effect.

SJ. Nirmal Chandra Bhattacharyya: Sir, before the discussion began I had the honour of placing before you my suggestion as to the necessity for circulation of the summary of the proposals that the Government of West Bengal thought fit to forward to the States Reorganisation Commission.

The Hon'ble Dr. Bidhan Chandra Roy: Excuse my interruption. It does not affect you, Professor Bhattacharyya, because you speak in English. It would be better if friends speak in English. If you speak in Bengali, it means it will have to be translated and it would then be difficult to send up your views before the 10th December. That is my suggestion.

SJ. Nirmal Chandra Bhattacharyya: My suggestion was that our present discussion would be invested with a good deal of reality if the Chief Minister had been good enough to circulate the summary of the proposals that he forwarded to the States Reorganisation Commission on behalf of the Government of West Bengal.

[10-40—10-50 a.m.]

Sir, I feel that in the absence of such circulation the discussion in the present House will be more or less unreal. We have listened to the summary but it is one thing to listen to the summary and another thing to read it carefully at home and come prepared on it. Therefore I believe, Sir, that the procedure that the Government have chosen to adopt in this matter is hardly democratic. The needs of democratic discussion demanded that this note should have been circulated earlier for the consideration of the members concerned.

The Hon'ble Dr. Bidhan Chandra Roy: I am sorry to interrupt. This Note was not a Note of the Government itself but the Chief Minister of the Government. Therefore I am not in a position to circulate it in that form. It is now after hearing your discussion, we shall send our report to the Central Government. The State Government will send its report, but it will be more or less on these lines.

SJ. Nirmal Chandra Bhattacharyya: Anyway, Sir, I feel that a progressive democracy like West Bengal should not have adopted the procedure that has been adopted by the Government in the matter of the discussion of the recommendations of the States Reorganisation Commission.

Sir, as I stand here to speak, I feel that we are meeting under the shadow of a crisis, a crisis that is reminiscent of the situation with which Bengal was faced in 1905. When the partition of Bengal was announced in 1905 the people of Bengal were stunned for a time. But they did not take long to recover and the people organized an agitation which became all-India wide and laid really the foundation of the beginning of the end of British rule in India. I have no doubt, Sir, that the people of West Bengal will react similarly. At first we noted that there was a kind of despondency among the people. But this despondency was very soon replaced by the rising resentment of the people and today the people are determined to fight against the unjust and iniquitous recommendations of the States Reorganisation Commission and I have no doubt that the people of West Bengal will unsettle the settled fact, I mean the recommendations of the States Reorganisation Commission. Sir, I call it a crisis because I feel that the future of West Bengal, her economic and political progress depends to a very large extent upon whether we succeed in securing justice for ourselves at the hands of the Government of India or not. The future generations of Bengalees will judge us with reference to what we do today. Let not the future generation say that at a moment of crisis their forefathers let down the posterity in a fit of thoughtlessness and irresponsibility. Sir, the matter that we are discussing today is not a question that affects this party or that. It is a matter that affects the people of West Bengal as a whole and I believe that all the parties and all independent individuals

will put their heads together and devise a common formula which may be placed before the Government of India so that the just and legitimate demands of the people of Bengal may be realised at an early date. Sir, we expected much of the States Reorganisation Commission. The States Reorganisation Commission was composed of people who had made their mark in different walks of life. They are really very distinguished people. But, Sir, the action of one of the members, I mean the Chairman, Mr. Fazl Ali, invites comment. Sir, he thought fit to write on the body of the Report as follows:—

“It should be mentioned that owing to my long connection with Bihar I have refrained from taking any part in investigating and deciding the territorial disputes between Bihar and West Bengal and Bihar and Orissa.”

It means, Sir, that with regard to some very important settlements in the eastern part of India, the Chairman of the Commission had nothing to say. For all intents and purposes, the Commission came to be composed of two persons only. Sir, I think, the members of the Commission occupy a quasi-judicial position and they in their action ought to be guided by considerations of judicial precedence. My friend, Mr. Roy, who is an experienced lawyer, told me that the procedure of the court of law is for the judge to formulate the issues. Will a Judge say “I cannot give my decision with regard to issues No. 1 and 2 because I am personally interested”? That is what Mr. Fazl Ali has said and I therefore believe that the entire recommendation of the States Reorganisation Commission has been vitiated in a way that is unprecedented, absurd and ridiculous and unworthy of the person who once occupied very important judicial position in the Supreme Court of India.

Sir, I cannot but refer to some of the anomalies for which the Government and the West Bengal Congress are responsible. In 1948, the late Mr. N. R. Sarker prepared a memorandum on behalf of the Government of West Bengal and demanded 16,000 square miles of territory. In 1952, the West Bengal Legislative Assembly reiterated this demand more or less. In 1954 West Bengal Government however demanded 11,840 square miles involving a population of 5.7 millions. In 1954 again the West Bengal Pradesh Congress Committee of which my friend Mr. Nahar happens to be the energetic Secretary claimed 13,950 square miles of territory involving a population of 6.7 million. In 1955 again after the publication of the Report, the Government of West Bengal and the Pradesh Congress Committee have further scaled down their demand. Sir, I am slightly mystified. The Bengal Provincial Congress Committee makes one demand, the Congress Government of West Bengal makes another demand. I do not see why such an anomaly should at all arise.

[10-50—10-55 a.m.]

Then again the West Bengal Government in 1948 and also in 1952 made certain demands which amounted to territory measuring about 16,000 square miles. In 1954, on the contrary, they made another demand for 11,840 square miles. It is very surprising that within the short period of two years they thought fit to change their mind. What was the transformation in the quality and quantity of the situation which led them to do so I do not know. Sir, after the publication of the report of the States Reorganisation Commission they are giving a different picture altogether. These inconsistencies have considerably weakened the claim of West Bengal so far as the Congress organisation is concerned, so far as the Government of India is concerned, and I hold the Government of West Bengal responsible for this kind of inconsistent behaviour by means of which they have really sacrificed the real interests of this Province.

Sir, it has been said that Bengal is the problem province, but the problems of Bengal are very largely the creation of British Imperialists and I must add that those problems are going to be accentuated due to the thoughtless action of the Government of West Bengal and the Government of India. Sir, Bengal has had to suffer as many as three vivisections within the last fifty years—the partition of Bengal in 1905, the partition—or re-partition, shall I say—of 1912 leading to the creation of the two provinces, Bihar and Assam, by means of which territories which really belonged to Bengal were transferred to these two provinces, and finally in 1947 as the result of the Radcliffe Award. Sir, you are also aware that West Bengal was used as a base of operation during the Second World War and as such the economy of Bengal and her people and the culture of Bengal generally considerably suffered. As a result of the employment of Bengal as a base of operation during the Second World War a famine supervened and in 1943 as many as 50 lakhs of people died. The problem of refugee has been referred to by our Chief Minister. In view of the problems that are not the creation of the people of West Bengal, we thought that the States Reorganisation Commission would do justice to our claims, but they have not done so unfortunately.

Sir, I think that the principles that they have developed are highly acceptable. I am one of those who believe that in modern India the reorganisation of States should proceed on the following principles, viz., unity and security of India, language and culture, financial viability, requirements of national development plan, self-determination, historical and geographical factor and administrative efficiency. I believe, Sir, in a complex world it is not possible to approach monistically. We cannot indicate just one test and re-organise our province. The situation is far too complex for that but I believe that in the application of these principles so far as West Bengal is concerned the distinguished framers of the report have failed to do justice.

Sir, I will take up in the first place two very broad principles. The first is the principle of unity and security and the second is the principle of financial viability. The Chief Minister in his introductory speech has made reference to both, but I believe there are certain aspects of the problem which he did not touch. I seek your permission, Sir, to do so

[10-55—11 a.m.]

Sir, West Bengal has a frontier of more than 800 miles and some of the frontier line in common with a sovereign State that is not very friendly to India are extremely difficult—I am particularly thinking of the Sunderbans. Therefore, from the points of view of unity and the security of India, West Bengal should have been strengthened. I do not say that this is the only one principle that ought to be applied. I shall come to other principles also and I shall seek to show, Sir, that the simultaneous application of all these principles would lead to the necessity of greater justice to West Bengal—justice that has been denied to her.

Sir, when we think of the principle of financial viability—it has been explained with very great clarity by the distinguished framers of the report—we notice that the framers of the report did not take into consideration the peculiar financial position of West Bengal. The two cardinal concepts of financial viability are maintenance and growth and I think, Sir, the Chief Minister has referred to both of them with great ability. The most important test, as he has pointed out, of financial viability is the ability, on an average over a fairly short period, to balance the budget. He has pointed out in his able introduction that West Bengal has had to face an

unbalanced budget for quite a number of years and this in spite of the fact that the Bengalees have come forward to bear the highest burden of taxation in the whole of India. Sir, the per capita tax according to the calculations of the Finance Commission—I am not placing before the Council my own calculations or the calculations of the Government of West Bengal but I am relying on the calculations of the Finance Commission—the per capita tax according to the calculations of the Finance Commission was in 1951-52 Rs. 9.4 in West Bengal and Bombay. This is the highest figure in India. If we take into consideration the fact that the per capita income in Bombay is larger than that in West Bengal, the burden upon the poor tax-payer of West Bengal will appear to be very large indeed and we can therefore clearly and definitely come to the conclusion that our tax-payers pay the highest per capita tax in the whole of India.

Sir, if we look at the percentage of State tax revenue to the total revenue on the basis of the budget estimates of 1951-52, we will notice that in West Bengal the percentage of State tax revenue to the total revenue is the highest. In Madras it is 58.3, Bombay 55, Uttar Pradesh 54.6, East Punjab 41.5, Bihar 37.2, Madhya Pradesh 47.4, Assam 46.5, Orissa 43.8, whereas in West Bengal it is as high as 62.1—the all-India average is only 42.4.

If we look at the density of population in our State, we will notice that ours is the most densely populated area, barring, of course, Delhi which stands on a different footing altogether. The density of population in Bihar is 572, in Uttar Pradesh 557 but in West Bengal, on the contrary, it is 799, according to one calculation, and 806, according to another.

Sir, our Province has welcomed immigrants from other Provinces and have found employment for them. The percentage of immigrants to total population has been increasing steadily since 1881. In 1881 the percentage of immigrants to total population was 2.2, in 1911 the percentage was 8.5, in 1941 9.5 and in 1951 18.5.

[11—11.5 a.m.].

This of course includes 8.5 per cent. of displaced persons. This gives us an idea of the terrible economic straits in which West Bengal is situated today. Sir, I would seek your permission to place before you certain other figures also which are very revealing. According to the Finance Commission, the percentage share of Bombay of the total revenues of India is 16.8 per cent. and her percentage share of the total expenditure of India is also 16.8 per cent.; that is to say the two sides equalise. In West Bengal on the contrary the situation is much more difficult. The percentage share of West Bengal to the total revenues of India is 13.8 per cent. The percentage share of West Bengal of the total expenditure of India is 15.1 per cent. These are figures that the Finance Commission have supplied to us.

Sir, if we look at the unemployment figures we will notice that the people of this soil are in a very serious predicament. In 1954 the Government of West Bengal undertook a sample survey of 615,400 families. It was revealed that out of these families 170,800 families were afflicted with the plague of unemployment, and out of these 170,800 families which were afflicted with the plague of unemployment 119,000 were Bengali families, that is to say, 70.2 per cent. of the total number of families surveyed were Bengali families afflicted with unemployment. Sir, if we look at the percentage of employments that are going to the Bengali population of West Bengal as against the percentage of employment available in West Bengal to non-Bengalis we will find that the people of the soil, I mean the Bengalis, lag far behind them. 62.6 per cent of

employable Bengalis receive 50.8 per cent. of the total employment whereas 25 per cent. of Hindusthani-speaking families got 34.5 per cent. Similarly, with regard to people speaking other languages also, the percentage is much higher comparatively than that of the Bengalis.

Sir, we notice therefore that the position in which we are placed is a very serious one, and in order that we might be financially viable it is necessary that our finances should be strengthened, and it is a matter of great regret that the States Reorganisation Commission did not take this into consideration.

[11-5—11-10 a.m.].

Sir, the Chief Minister has referred to certain historical, geographical and linguistic factors and with reference to them he has sought to support his claim. We are glad, Sir, that the difference between him and us has been to some extent bridged now that we know what his own point of view is, but our complaint is that he has not gone far enough. Sir, we believe that justice would have been done, bare justice, I must say, would have been done if provisions were made for the inclusion of the following areas in West Bengal:—(a) The whole of the district of Manbhum.

Mr. Chairman: These are the specific recommendations you are making?

Sj. Nirmal Chandra Bhattacharyya: Yes, Sir, I have not finished yet. I hope you will kindly permit me to continue for some time more.

Mr. Chairman: Other speakers should also have some time. These things will be considered by the Government also. Please finish your speech soon.

Sj. Nirmal Chandra Bhattacharyya: (a) The whole of the district of Manbhum including Chas thana of the Puruha subdivision and the town of Dhanbad;

(b) The Dhalbhum parganas including Jamshedpur of Singhbhum district;

(c) The entire subdivision of Pakur, Jamtara, Dumka and Rajmahal of Santhal Parganas district.

The part of the district of Purnea just to the east of the river Mahananda and the river Mechi; and

(d) Dhubri subdivision of the district of Goalpara.

Sir, in support of the claim that I have the honour to make on behalf of West Bengal I request you to bear with me just for a moment, so that I may be able to place before you the relevant facts. The Chief Minister has referred to the past promises and some of those past promises have found place in the report of the States Reorganisation Commission. I do not, therefore, propose to enter into details with regard to them, but there is one matter to which I must refer. It has been stated in the body of the Report of the States Reorganisation Commission about the claim of West Bengal that certain territories then comprised within the State of Bihar and Orissa should be transferred to West Bengal. This claim, the States Reorganisation Commission says, has been challenged by the Bihar Government. Sir, we possess a photostat copy of the letter that was published by the Bihar leaders in 1912 in the pages of the then leading Nationalist Journal. In course of their letter the distinguished

signatories to the letter said, "In accordance with the resolution of the last Congress the sound principle enunciated therein would be that all the Bengali-speaking tracts should be brought under the Government of Bengal and all the Hindi-speaking tracts placed under the Lieutenant Governor of Bihar." According to this arrangement the portions of Purnea and Malda to the east of the river Mahananda which is the ethnical and linguistic boundary between Bengal and Bihar should go to Bengal and the western portions of these two districts come to Bihar.

[11-10—11-15 a.m.].

Similarly such tracts in the Santhal Parganas where the prevailing language is Bengali should come to Bengal and Hindi-speaking tracts remain in Bihar. As for Chota Nagpur, the whole district of Manbhum, portion of Dhalbhum and Santhal Parganas and Singbhum district which are Bengali-speaking they should go to Bengal and the rest of the Division which are Hindi-speaking should remain in Bihar. If these arrangements are carried out they will meet with the approval of Bengal and Bihar.

Sir, the signatories to the letter were Dr. Sachidananda Sinha, who, you may kindly remember, presided at the initial session of the Constituent Assembly, Mr. Dip Narayan Sinha of very revered memory, a great Congress leader of those days who presided over the Bengal Provincial Conference as it was called then convened in Murshidabad in 1907, S. Parameswar Lal of all-India fame, S. Fakruddin, who became a Minister afterwards, and S. Nanda Kisore, who was also of all-India fame in Bihar. Sir, the reference to the Congress resolution is really to the resolution which was moved by no less a person than Sir Tej Bahadur Sapru at the Karachi Congress in 1911. When Dr. Srikrishna Sinha can describe this as a scrap of paper can we really blame the war-mongers like Hitler who regarded all such agreements as mere scrap of papers to be thrown into the waste-paper baskets? (The Hon'ble Dr. BIDHAN CHANDRA ROY: Can you blame Dr. Srikrishna Sinha if he says "consistency is the bug-bear of fools"?) Sir, if he can say that and if he can be disrespectful even to our Chief Minister we do not know what to do, but we the people of West Bengal are very patient. We do not want to adopt, neither do we like to adopt the tactics adopted by men like Dr. Srikrishna Sinha, Sri Krishna Ballav Sahay. Sir, I will now take up the humble territorial claim that has been put forward. I will particularly refer to Dhalbhum. Sir, Dhalbhum as the Chief Minister here has pointed out has been recognised as a predominantly Bengali-speaking area, and the Bengalees constitute the single largest group there. It has been admitted. It is also a fact that Santals and Oriyas of the areas of Dhalbhum speak Bengali. Those amongst them who are literate can also write Bengali and many of their books are published in Bengali. I have a book in my hand, a very important book which is even now used by the Santals in that area which is called "Kherwan Bansha Dharamputhi" by late Ramdas Tudu Reska. I am proud to note that a preface or a foreword to this book was written by a scholar of international fame, Dr. Suniti Kumar Chatterji—it was written in Bengali. You are possibly acquainted with this gentleman Dr. Suniti Kumar Chatterji of international repute, who happens to be the Chairman of the Council.

[11-15—11-20 a.m.].

Sir, it has been argued that Census reports are misleading. It is misleading due to the tactics that the Government of Bihar have adopted in respect of the Census of 1951. I will, therefore, not refer to the Census reports at all but look for supporting evidence. If we look at the registered

documents—I have got photostat copies of registered documents, all in Bengali, which are open to the inspection of any members of the House—we will notice that the registered documents until 1952 were written exclusively in Bengali or in English but never in Hindi. It was in 1952 after the reorganisation of States began to be talked about that worthies like Dr. Srikrishna Sinha and S. Krishna Ballav Sahay became extremely active and forms began to be printed in Hindi. Sir, I will give you the figures. The total number of documents registered in 1952 were 4,500. Mind that it is in 1952. Even then, when the worthies of Bihar became extremely active, out of the total number of 4,500, 4,000 were executed in Bengali and 500 in English and in Hindi nil. In 1953 after the worthies of Bihar activated themselves the total number of documents executed was 5,000—in Bengali 4,500, in English 485 and in Hindi only 15. It has to be remembered in this connection that in 1952 the Government of Bihar started an anti-Bengali drive. Schools after schools began to be threatened that unless they adopted Hindi as the medium of instruction no aid will be forthcoming and so far as registration of documents was concerned they began to use similar tactics. In 1954 the total number of documents registered was 4,500—in Bengali 4,000, in English 359 and in Hindi 150 only. The total number of documents registered in 1955—up to October—was 4,000—in Bengali 3,200, in English 300 and in Hindi 500. Sir, it has to be remembered that these documents were printed in Hindi but the signature made by the Bengali residents—nearly all of them were Bengali residents—was in Bengali. A definite attempt was made to persuade the people to register documents in Hindi so that they might come forward and say to the proper Commission when appointed that this is the situation. Sir, these documents which are executed in Hindi are documents against which agricultural loans were paid, so a bait of loans had to be given to the agriculturists in order to persuade them to register the documents in Hindi but the signatures were in Bengali or in English. This is a matter to which I would like to draw your attention.

I would like to show you land records. We have got the photostat here.

[11-20—11-30 a.m.]

Mr. Chairman: You have taken 40 minutes already. Please try to be brief.

Sj. Bijoy Singh Nahar: All those documents have been placed before the Commission.

Sj. Nirmal Chandra Bhattacharyya: Then there is no use discussing here, because everything has been placed before the Commission.

We have here documents beginning from 1857 coming down to 1937. They are revenue receipts given to tenants issued by the zemindars, settlement records and documents of registration. In 1937 the Government of Bihar issued a notification in Dhalbhum under the Forest Act of 1927. That document is in Bengali. It is Bengali notification, dated 26th July, 1937. The whole thing is in Bengali.

The Hon'ble Dr. Bidhan Chandra Roy: Wisdom has grown on them.

Sj. Nirmal Chandra Bhattacharyya: Yes, Sir. Permit me some time in order to develop my points in connection with Jamshedpore. Here I differ with our distinguished Chief Minister. He does not want to place any claim on the industrial area of Bihar. I do not see why we should not do so. He has spoken of the principle of viability. If you accept that

principle, then he ought to place his claim on Jamshedpore also which is predominantly a Bengali-speaking town. I will not refer to the census figures because, thanks to Dr. Srikrishna Sinha, they have been manipulated. Bengali students predominate in schools. In 1953-54, 12,500 students were Bengali-speaking and the pupils who were instructed through the medium of Hindi were 10,064. In 1954-55 Bengali students were 12,718 in number, the Hindi 12,622 in number only." In this connection I would seek your permission to read out to you the report of the Inspector of Schools. "It may be noted", the Inspector says "that in the Hindi medium group not only children whose mother tongue is Hindi but also children whose mother tongue is neither Hindi nor any of the three other languages are included". That is a very significant fact. If we look at the cultural life of Jamshedpore, we cannot but admit that Jamshedpore is entirely Bengali. I wish, Sir, you were there on the Durga Puja days. Sir, amongst the cultural institutions 17 are entirely Bengali cultural institutions. The first cultural institution of the area was also started by Bengalis and, in fact, if we think of the cultural life of Jamshedpore it means really Bengali culture. There is just one Bihari Association, a very militant organisation now, now that they have received the support of the Ministry of Bihar. The Bihari Association is only one out of eighteen. Seventeen are Bengali cultural associations. If we look at the industries of Jamshedpore, we will find that in 1955 out of 37,976 TISCO employees, i.e., Tata Iron and Steel Company employees, 13,046, i.e., 34.35 per cent, were Bengalis. If we think of the associated companies situated in Jamshedpore we will find that there also the number of Bengalis is very large. Out of 11,000, 3,500 are Bengalis. If we take into consideration the floating contractors' labour which varies from 3,000 to 5,000, we will notice that 80 per cent. of them are Bengalis from Dhalbhum, Midnapore, Bankura and other areas. Sir, I argue that the merger of Jamshedpore with West Bengal will be of distinct advantage to the whole of India and I demand that Jamshedpore be included within the territory of West Bengal, in the name of the unity of India and in the name of requirements of national development. This merger with West Bengal will lead to some distinct advantages. We constitute the largest consumer of the industrial products of Jamshedpore. Secondly, it is desirable that the industries of the entire belt beginning from Jamshedpore down to Asansol should be under one Government. So on linguistic and cultural grounds we can claim Jamshedpore and on the ground of economic development we can claim it. It has been argued by the Chief Minister unfortunately that he does not want to deprive Bihar of some of her coal and industrial areas. Bihar will be left with enough coal and enough industrial possibilities. Take the entire region from Ramgarh, Bokharo and the neighbouring areas. They will have much more of coal wealth and industrial possibilities than we have. I had something to say about Dhanbad but, I believe, my other friends will do so.

Sir, one word more and I will finish. I would appeal to the Chief Minister and to my friends opposite to develop a unified policy when the Bill is sent up to the Government of West Bengal by the Government of India. We, members of the Opposition, are hoping that Dr. Roy will convene a conference of the members of the Legislature and try to forge a common formula upon which all of us can agree so that we may put forward our united demand. Sir, I would again say that we are meeting under the shadow of a crisis. The future of Bengal is at stake and I hope that every member of the House will stand up to it and carry the burden that is his. Thank you, Sir.

Mr. Chairman: I would make a suggestion that when the honourable members speak, they would kindly make their proposals first and develop

seriatim what they have to say in favour of their proposals. That would help discussion, and they will finish much more quickly and at the same time keep to their points.

Sj. K. P. Chattopadhyay: Mr. Chairman, Sir, I shall proceed straight to the points. The Hon'ble Chief Minister in the summary that he has placed before us has pointed out the general principles on the basis of which certain specific demands of territory have been made. We agree on the principles. The economic, educational and cultural difficulties have to be solved and on the operational side administrative difficulties. For solving the administrative difficulties, for proper communication, the Hon'ble Chief Minister has asked for a revision of the Award of the States Reorganisation Commission. With regard to the part of Kissengunge Subdivision, he has suggested the expansion of the area from the Mahananda River to the Mechi River. I should like to point out in this connection that the entire Kissengunge Subdivision was originally held to be of speakers of a language which had a very close affinity to Bengali. If you refer to Grierson's Linguistic Survey of India, it will be found that he stated clearly that the speakers of this particular dialect had a very close affinity to Bengali.

[11-30—11-40 a.m.]

This was admitted right up to the inclusion of that area in Bihar. When however the next census took place, I found to my surprise that the officer who had written the report noted: "I have classed the people who live in this subdivision as speakers of Hindi as in my opinion they feel more at home in Hindi." The officer was a Hindi-speaking officer of Bihar and it was obvious that his personal prejudice was responsible for this extraordinary classification throwing Grierson and his report into Mathabhanga. I would therefore suggest that the whole of that subdivision which is really inhabited by Bengali-speaking people, with the portion as Dr. Roy has pointed out absolutely essential for communication, should be transferred to West Bengal. It is somewhat extraordinary that the States Reorganisation Commission in discussing this problem refer to similar difficulties of communication of Assam and Bihar. I do not understand how that comes in. Bihar is a compact State where only the question of internal communication arises, and it is a question for the Planning Commission if they want to have better roads, bridges, etc. But for Bengal it is a vital problem to have its different parts connected by proper links; they are completely severed from each other. It has been suggested that the roads through Bihar will allow of communication. I think the Hon'ble Chief Minister has himself stated that there have been very great difficulties in this regard. If transport licenses are issued to carriers in Bengal, when they have to pass through Bihar they experience difficulties, and transport of goods which are of different kinds is hampered in various ways. I need not expatiate on this particular aspect of the matter, as it has been dealt with by the Hon'ble Chief Minister. He has referred also to our experience in another connection, and noted the difficulties.

Now, with regard to economic difficulties, there are two things to be considered. Partition of Bengal has unbalanced our economy and therefore we need to have territory which was originally of Bengal and which was given to these other States at a time when they claimed that for balancing their economy. When, after the initial partition of Bengal in 1905, partition was annulled, Bihar wanted certain Bengali-speaking tracts, not on the ground of linguistic affinity, but because they said that otherwise the State of Bihar would suffer economically. Bihar at that time had not any portions of Chota Nagpur properly developed for helping her. It was

admitted that the whole district of Manbhum and Dhalbhum Pargana were really inhabited by Bengali-speaking people, but at that time these were included in Bihar on the ground that it was necessary to do so for balancing the economy of Bihar. Since then the industrial position of Bihar has bettered a good deal and there is no likelihood of the separation of Bengali-speaking areas from Bihar upsetting the economy of Bihar. In any case the terrible position in which West Bengal finds itself as a result of partition does not allow of any such reasons being treated seriously.

With regard to Manbhum, as various speakers have pointed out and the Hon'ble Chief Minister has already submitted a note, it is entirely inhabited by Bengali-speaking people. If we refer to the settlement report of Gokhale, a member of the Indian Civil Service hailing from Maharashtra—it was published in 1927 or 1928—we will find it stated very clearly that all the settled people there are speakers of Bengali and they do not like to register their documents in any language except Bengali. If they were asked to register their document in any other language, they would prefer English. My friend Professor Bhattacharyya has given figures to show that this state of affairs prevails even now.

Dhanbad has been claimed by Bihar on the ground that there are a large number of Hindi-speakers there, who are industrial labourers, who have come as a floating population. The jute mills of Bengal, when communication was not properly developed, sent out their sardars in large numbers to Bihar to recruit jute mill labour from Hindi-speaking areas? Does that constitute a ground for treating such areas as part of Bihar? Certainly not. Floating labour in any country is never treated on the same footing as settled population. By that test there is no question of Dhanbad remaining in Bihar. There is one point which should be obvious, and that is, in Bengal the large element of Bihari labour that has come has never been discriminated against. There has been no attempt on the part of the Government of West Bengal to force the Bengali language on them or to discriminate against them in any way. People from Hindi-speaking areas have never had any grounds of complaint on any score, and I may add that people who earn money in this State and send them elsewhere—whether it is Bihar, U.P. or Rajasthan—whether they send out lakhs or crores—Bengal has never sought to discriminate against them in the matter of awarding contracts or building up of industries. Unfortunately for Bengalis who are in Manbhum this has occurred. Their private economy has been interfered with. Contractor after contractor and business firm after business firm had their names struck off from the Government list on the ground that they have some estates in Bengal—as if the businessmen as well as labourers who have come here to our State have not got their lands in Bihar or Rajasthan or elsewhere. They are having estates or properties or some sort of claim in their home province as much as these Bengalis who try to make some money by normal, healthy business procedure in Bihar. There is a tremendous amount of discrimination even in Bengali-speaking areas which form part of Bihar. Therefore I say that economic difficulties have been aggravated by continuing this inclusion of Manbhum, and the whole of Manbhum should therefore come to Bengal.

As regards Dhalbhum Pargana of Singhbhum, you are well aware that it was originally part of Midnapore district. It was separated at some time for reasons best known to our British rulers. Their grounds for partitioning Bengal cannot be treated as sacrosanct. They wanted to hit Bengal as Bengal had been at the lead of the movement for national liberation just as in the Moghul days Bengal had been the most troublesome province from the imperial point of view, even under British rule Bengal was the most

troublesome province for the rulers. Therefore they did their best to cripple and crush the people of Bengal. But, Sir, in a free India, in the Republic of India, it is the duty of the people at the helm of affairs to see that this sort of thing does not continue. Dhalbhum Pargana of Singhbhum is predominantly Bengali-speaking, and the reasons for transfer of it to Bengal are so strong that there should not be any question of its being retained in Bihar. The grounds that have been given in the States Reorganisation Commission's report seem to be extremely frivolous.

Jamshedpur is certainly a part of the area which, if Orissa gets Seraikella and Kharswan and Bengal gets Dhalbhum subdivision, would not be available to Bihar because it will fall within that territory. Sir, it does not stand to reason that therefore these territories should not be given to Bengal or to Orissa. That is fantastic.

I shall now come to Santhal Parganas. As you are aware, the Jamtara subdivision and certain adjoining territories were originally part of Birbhum district. They were cut off from Birbhum to form, along with certain areas taken from Bhagalpur district, the district of Santal Pargana, in order to form a new territory where the Santals who were then pouring into might be given a special asylum. Now, as Professor of Anthropology, I have had to tour extensively in these tracts and I have found that on the Jamtara side they all speak Bengali as a second language. They all speak Santali at home, that is perfectly true, and they should have the privilege of education in Santali in the primary stage. But they all speak also Bengali. I was told that in Rajmahal in certain areas they did not understand Hindi; I cannot say that they understand Bengali either; but they speak only Santali. Jamtara subdivision in its entirety and some of the adjacent areas, which are as the Chief Minister has pointed out essential for the river schemes and also on linguistic grounds, can be easily assimilated with Bengal. The Santals have not sought to infiltrate into Bihar but have come to Bengal when population has increased. Here I find an extraordinary state of affairs in the publication after the district of Santal Parganas went into Bihar.

[11-40—11-45 a.m.]

In the gazetteer drawn up by an Englishman prior to allotting Santal Parganas to Bihar it is stated that in several of its subdivisions including Jamtara practically all the Santals are bi-lingual and speak Bengali as the second language. After transfer of territory to Bihar this was altered in the Gazetteer and we are told that the second language is Hindi—an extraordinary metamorphosis! This kind of jugglery, this kind of distortion of fact should not stand in the way of transfer of an area which would certainly not only have the language with the cultural background of the people and could assimilate them easily to the nation, to India as a whole, but also help the economy of Bengal.

There is one point on which I find our Hon'ble Chief Minister has not touched. That is with regard to the Bengali-speaking area adjacent to Bengal in the State of Assam. I think, Sir, that the Bengali-speaking area of Goalpara district should also be transferred to Bengal. This question we have been compelled to raise as Bengalees here also have been badly treated. In Bihar, of course, the anti-Bengali movement is highly militant and suppression of the Bengali language has been sought in the whole of Manbhum area. We know too much of the suffering which the Lok Sevak Sangha there underwent and we know how an attempt has been made to suppress the language and culture of the people. May I point out that nowhere in the world has any such attempt succeeded and far less it will succeed

in the State of Bihar. Britishers tried in Ireland and the result was 200 years' discontent resulting in the Irish Free State, but in Scotland where they had a separate Home Secretary and where they had cultural autonomy, there was no difficulty. It is an unfortunate fact that in Bihar we have a particularly flagrant brand of Hindi imperialism which has succeeded British imperialism. It is a great pity. They seem to forget that our country is Bharat, our country is India, we are Indians and we should all work in the interests of our common nation, that the economic welfare of all units should be the business of us all and not of one speaker here and another speaker there. Since, however, these are unpleasant facts it is necessary that these causes of growth of ill-feeling should be removed and these parts be made over to Bengal in the interest of India as a whole.

That is all that I wish to say here.

Sj. Mohitosh Rai Choudhuri: Sir, it is with great regret but with an overwhelming sense of duty that I rise to speak on this occasion. Sir, I say regret because some of the persons who constituted the States Reorganisation Commission are men for whom I have always held profound respect and I consider it a little painful on my part to be compelled to criticise their findings, but, Sir, as the occasion is of very great importance and as I know to err is human and as even the greatest of our men cannot completely free themselves from some prejudices and predilections which they might have unconsciously formed, therefore, I think to criticise them would not be construed as showing disrespect to these august personages.

[11-45—11-50 a.m.]

Sir, I am not one of those who would insist on the redrawing of the map of India on linguistic principle. I perfectly agree with the distinguished members of the Commission with regard to the very important principles upon which they profess to base their recommendations for the redistribution of the territories of the Indian Union. I also agree that monistic approach to this problem is not wise. I agree with the Dar Commission—to whose recommendations the Chief Minister has already referred and to which this Commission has referred at length—that the principle of administrative convenience should be regarded as more important than the linguistic principle. I agree with the States Reorganisation Commission, as I have said, with regard to the principles that they have formulated, but, Sir, my grievance is that they have not consistently followed these principles although they have professed to follow them in making their recommendations with regard to West Bengal. On the linguistic principle they have based their recommendations about South India and even the Working Committee, while departing from some of the recommendations of the Commission, have adhered to this principle. Unfortunately, Sir, not only that principle but all other principles have been given the go-by by the Commission while framing their recommendations about West Bengal.

Sir, one thing is most curious in this connection. The argument regarding density of population and West Bengal's want of breathing space, her difficulty about providing for satisfactory rehabilitation of the uprooted people from East Bengal, has not even been touched on by the Commission. Sir, last year while a resolution regarding readjustment of boundaries of West Bengal was placed before the legislature, it was urged very rightly on behalf of the Government that in order to enable them to satisfactorily solve the problem of rehabilitation, they should be given some of the very wide empty space lying on the borders of West Bengal, e.g., in the Santal Parganas. It is curious that the States Reorganisation Commission has

not even cared to touch on this argument although it is a well-known fact that the density of population in West Bengal is the largest in India and although, I think, nobody would dare to challenge the statement that the problem of rehabilitation with which the unfortunate and distressed West Bengal has been confronted is one which it should be the duty and obligation of the whole of India to try to solve.

Sir, what is the demand of the people of West Bengal? The demand in short is that the whole of Manbhum district, Dhalbhum subdivision of Singhbhum district, the Bengali-speaking areas of Santal Parganas, i.e., Pakur and Jamtara subdivision, and the adjoining areas of Rajmahal, Dumka and Deoghar and the Bengali-speaking areas of Purnea district shall be given to West Bengal.

[11-50—11-55 a.m.]

It has been further claimed that Goalpara district in Assam should also come to West Bengal. Now these portions which have been claimed by West Bengal people were once included in United Bengal. The majority of the people there are Bengali-speaking. In spite of the attempt to manipulate the census figures, it has been successfully pointed out, I think it has been pointed out in a way which should be regarded as convincing, by people who know, who have been able to produce incontestable evidence that the people here are mostly Bengali-speaking. Therefore, Sir, it would not be incorrect to say that the people of this district are Bengali-speaking. Part of this area again is absolutely necessary as I have already pointed out to enable her to solve to some extent the problem of rehabilitation. Part of this again is necessary to enable her to have an uninterrupted line of communication between the southern and northern parts of the district.

Some other parts which the Chief Minister in the note he has submitted has already pointed out, namely, the catchment area of Ajoy river, are indispensable to West Bengal in order that she might successfully execute her riverine projects. All the principles which are fair and reasonable and all the principles which the Commission has accepted while making their recommendations about the other parts of Indian Union have been completely ignored by the Commission.

Not only that. My friend S. J. Bhattacharyya has referred to the conflict in the demands for territorial redistribution which have been put forward from the Government of West Bengal as well as from the Government of Bihar. I know there has been a conflict. I am one of those who feel that if possible this conflict should have been avoided. But I know also that moved by a desire to show consideration to the feelings of Bihar, the Congress and the Government of West Bengal, the Government of Dr. B. C. Roy, have pitched their demands on behalf of the State on a much lower key even though they know—or they ought to know—that thereby they have caused discontent to the people to some extent. This moderation on their part, this spirit of self-abnegation on their part in order not to cause dissatisfaction to the people of Bihar should have been appreciated by the Commission, should have been appreciated by the Working Committee of the Congress, those on whom rests the implementation of the recommendation of the Commission. But unfortunately the Commission has not said a word of appreciation about it. On the other hand, in one of the paragraphs of the Report the Commission has used these rather little inconsistencies in the demands of the people as an argument to deny justice to West Bengal. Sir, I say again that with the desire not to cause dissatisfaction to the Government of Bihar, with a view to show that the Government of Dr. B. C. Roy has not been seized with the desire for possessing more land than could be avoided, for this they have even been willing to give up the claims of West Bengal to

Jamshedpur and Dhanbad, though I agree with some of my friends on the Opposition that West Bengal's claim to Dhanbad and Jamshedpur ought to be upheld by the higher authorities.

[11-55—12 noon.]

But, Sir, this generosity, as I have said, has not been appreciated. Except a fragment of even this most moderate claim, the Commission has set their face against the rest. Sir, it is a matter of the greatest regret that they have rejected the claim of Bengal by a curious line of argument which may be regarded as a sort of special pleading. Sir, I am not going to cover the grounds taken up by the West Bengal Government, the Congress, and various other organisations in supporting our demands by means of incontestable arguments. Some of these arguments have been made use of by my friend Professor Bhattacharyya. Much more than what he has used is contained in the memorandum submitted on behalf of the Congress and also on behalf of the Government. It would be uselessly taking up the time of the House in repeating those arguments. They are well-known to those who are in the know. They have been already well-known to States Reorganisation Commission, well-known to the authorities in New Delhi. But, Sir, the people who feign to sleep even while they are not sleeping, even when they are awake, the people who pretend sleeping cannot be roused from their slumber.

Mr. Chairman: Can't you come to your specific recommendations?

Sj. Mohitosh Roy Choudhuri: Recommendations I have already made. I stand by the demands which have been put forward on behalf of the Congress. We demand the whole of the Maubhum district. Dhalbhum subdivision of the Singbhum district, the Bengali-speaking areas of the Santhal Parganas, namely, Pakur, Jamtara subdivision and the adjoining areas of Dumka, Deoghur, Rajmahal and the Bengali-speaking areas of the Purnea district and also Goalpara. This is the minimum that we demand, and we demand it on the arguments which have been ably put forward in the memorandum of the Congress as well as by other bodies. Therefore, as I have said, I would not try to waste the time of the House by referring to those arguments.

Sir, it is curious that the Commission has exhausted all their sympathies on Bihar. Bihar will lose the coalfield. Bihar will lose the Rajmahal coalfield. Bihar will lose the rich minerals and the industrialised areas of Rajmahal, Manbhum and Dhalbhum. Bihar's economy will be dislocated. The balance between agriculture and industry of Bihar will be upset, and so on and so forth. Sir, I do not grudge my friends in Bihar the sympathy which they have got so profusely from the members of the States Reorganisation Commission, but, Sir, we, the people of West Bengal, whose misfortune today has been caused by their devotion to the cause of freedom of India, to the cause of United India, we claim that a little of their sympathy should have been left for us, but unfortunately that has not been the case.

[12—12-5 p.m.]

They have argued in a way as if West Bengal's economy is nobody's concern. As if West Bengal is rolling in wealth, as if nobody should come to the rescue of the people of West Bengal. Sir, the whole people of West Bengal regret it, nay, resent the treatment meted out to them by the States Reorganisation Commission. But, Sir, we do not like to whip up public excitement to a state of frenzy. Particularly we do not want to follow in the footsteps of our neighbouring friends in Bihar, who are in authority. We rely upon the justness of our cause, we rely upon the sense of justice of the authorities

on whom as I have said the implementation of the formulation of the adjustment of the boundaries of the Provinces will rest. We rely upon their fairness and impartiality and we hope that they will be doing us justice, justice which has been denied to us by the States Reorganisation Commission. One word more and I have finished. On August 23, 1951, when the question of readjustment of Bengal's boundary was raised in Parliament the then Home Minister Shri Rajagopalachari than whom a wiser and more impartial statesman hardly exists today in India gave us an assurance that the problem of West Bengal's demand should not be considered as a simple corridor problem or even a Bengal problem. It should be regarded, he said, as a general defence position and an administrative position—I have given his own words. I particularly request you to underline the words 'general defence'. This should have been borne in mind by the States Reorganisation Commission's members and if I remember aright it was also stressed at the last Kalyani Congress. It should be taken note of by the authorities concerned now. Sir, Rajaji gave us this assurance and that assurance should be implemented. With these words I support the memorandum put forward by the West Bengal Government and the Congress Committee.

Dr. Monindra Mohan Chakrabarty: Mr. Chairman, Sir, I do not know whether we shall be able to equal the performance of our friends in the Bihar Assembly or in the Bihar Council whose reports..... (Sj. RAHINDRALAL SINGH: It is better we do not.)..... Yes, I agree. We cannot stoop so low, but, Sir, if in our remarks we have occasion to use words which may not be conducive to all good behaviour I hope we shall be pardoned. The report we are discussing today is perhaps of a very momentary consequence to this truncated State of West Bengal than perhaps in the case of other States of the Indian Union. It is not a party question. Party politics should not come in the way of discussing this question so far as West Bengal is concerned. If viewed dispassionately I think there will be little difference of opinion on the main recommendation of the Report so far as West Bengal is concerned as regards the different parts—both inside and outside West Bengal.

[12-5—12-10 p.m.]

The predominant feeling may perhaps be summarised in one sentence that the Commission has not given adequate consideration to the case of Bengal and has failed specially in a cursory manner to appreciate the special situation in which the residuary State of Bengal has been plunged after the partition. It is of no use to hurl hard words against the Commission composed as we know of men of great calibre. I do take exception to the behaviour of the Chairman of the Commission who did not want to take any part in the deliberations of the Commission because, as he says, he had long association with Bihar. But this fact did not deter Pandit Kunzru and Sri Panikkar to take part in the deliberations when the question of adjustment of boundaries regarding the States to which they belonged came up before the Commission. It is really surprising for Sir Fazal Ali to shirk the responsibility. As has been pointed out by my esteemed friend Professor Nirmal Chandra Bhattacharyya that so far as the case of Bengal is concerned only two members of the Commission have to judge the issues. As the fact stands, Sir, the report concerning the Bengal-Bihar dispute seems to indicate that in spite of Sir Fazal Ali's absence the results heavily weighed in favour of Bihar. This fact stands no chance of contradiction. The other important thing which immediately attracts attention in the matter is the behaviour of the ruling party—the Congress Party. The Congress Party is in power not only in the Centre but in all the States. But it appears that there is no discipline in the party. The party has not been able to exercise effective

control over its members. It is no exaggeration to say that the disturbances in Bombay have been directly caused by the scandalous utterances on the issues made by Congress members. As we see in today's paper Sj. Jayakar has pointed out in Bombay that the Commission was a Parliamentary Commission and the question of taking action on the report of the Commission lay with the Parliament and the State Legislatures. Other bodies have no right to decide the issues beforehand. The Congress has published its recommendations and that has directly caused many of the disturbances that have been happening in the various States, particularly in Bombay. Sir, it is clear that the report is no more sacrosanct and since considerable changes have been proposed in the report the whole thing must be considered anew. The States Reorganisation Commission Report may now be considered as a tentative document to facilitate further discussion. In this document the whole case for the readjustment of the boundaries should be considered *de novo*. The question of West Bengal is really not complex at all. The truncated State of West Bengal wants to live in return of her sacrifices in the cause of Indian nationalism. She just wants to have enough so that she can manage to stand on her own legs and can have such territories which are linguistically and culturally similar so as to make the rehabilitation of refugees comparatively an easy task. She does not want any territory which was not hers by historical association but for all this from the Congress Party and from the Government of Bihar we have only had not only abuse but called Mirjaffars by respectable leaders in the Congress Party in the Bihar Legislature. We have been called by names, particularly the Opposition members, although our Chief Minister was actually born in Patna (Sj. NIRMAL CHANDRA BHATTACHARYYA: At that time Patna was within Bengal). Even they did not spare Sj. Bejoy Singh Nahar. [Interruptions.] We stand unified if the Chief Minister will fight for the just claims of Bengal.

Sir, fantastic arguments have been put forward by our friends in Bihar in support of their case.

[12-10—12-20 p.m.]

The Hon'ble Dr. Bidhan Chandra Roy: What is their case?

Dr. Monindra Mohan Chakrabarty: Their case is that they are not going to yield an inch of land.

What is the reason for the Chief Minister to put specific resolution before the House? He says he is not bound by what is done in other States. The official sponsor of the motion in Bihar Assembly which was tabled by Sj. Amiya Ghosh asked for moving the Union Government to reject the recommendation of the States Reorganisation Commission for transfer of areas to West Bengal, etc. [Interruption.]

The first point is, so far as our claims are concerned, I personally feel that the claims made by the West Bengal Congress Committee in its first memorandum before the Commission essentially represents the views of the people of our State; that is to say, the claim to the whole of Manbhum including Dhanbad, the whole of the Dhalbhum Pargana including Jamshedpur, the Bengali-speaking area of the Purnea district which is necessary for the continuity of the State of West Bengal between its northern and southern parts and Goalpara district in Assam. I do support these claims. I was sorry to know that our Government did not put a claim to Tripura which has been mentioned in the Report of the States Reorganisation Commission. The case of Manbhum and some other cases

have been covered by my friend Professor Bhattacharyya and other friends. I would like to confine my remarks to the case of Goalpara. In Goalpara district according to 1931 census the total number of Bengali-speaking population was over 54 per cent., the Assamese-speaking population was 18 per cent. Somehow or other we find that in the 1951 census the Bengali-speaking population came down to 17 per cent. and the Assamese-speaking population had risen to 62 per cent. The Commission itself has remarked on this but even then they have said that the relation between Bengal and Goalpara is tenuous. I do not understand the argument on the consideration of which the Commission came to this view. From 1613 to 1765, for 152 years, Goalpara district was a Suba Bangla. Goalpara was a district of Bengal from 1874 to 1915, with the exclusion of the period between 1905 and 1911; Goalpara has been attached to Assam; but even then in spite of all these historical relationship the Commission came to the conclusion that the relation between West Bengal and Goalpara is tenuous. I think they had no basis to come to this conclusion.

Regarding Rajmahal, Dumka and Deoghar, the Commission has come to the conclusion that the Bengali influence in the entire Santhal Parganas district, as they say in paragraph 655, is slight. This can be seriously contended. Every impartial opinion expressed so far will definitely point to the fact that the Bengali influence is much more than slight. In my opinion, the matter of the linguistic States has been shelved because many of the State Governments, the Dar Commission and the J.V.P. Committee came back from the original stand which was taken by the Congress so long on linguistic principle. It has been argued that linguistic principle should not be given the only consideration. I challenge that seriously. That principle has been adopted in other multi-lingual States, notably by the Soviet Union. There is a feeling that somehow or other the Commission just ignored wherever the Hindi-speaking population was concerned. They kept intact the whole of Uttar Pradesh; they want to keep intact mainly the whole area of Bihar; they want to create a bigger Madhya Pradesh. They do not want to touch the Hindi-speaking population at all. I think they have been led to something like Hindi imperialism and want to impose it on all. This must be seriously considered. Otherwise, I do not understand why they have kept intact Uttar Pradesh; why they want to create a bigger Madhya Pradesh.

I think the Government of West Bengal also are not standing on linguistic principle. They put more emphasis on administrative and other needs. It is not wrong to stand on linguistic principle. We know similar attempts were made in Russia in Czarist time to impose Russian language in other groups of Russia but they did not succeed. Later on the Soviet Government have acted on linguistic principles. They attempted the creation of autonomous small States and where that was not possible they created city States. It should be made clear that we stand on linguistic principle and we should not go back. I would urge upon the Government to stand on that principle also and not to give up their claim on the Bengali-speaking areas and particularly culturally similar areas around West Bengal. That is the stand we ought to take.

Apart from that it will be better to ponder over the question of immigration from Bihar. In reports circulated by the Government of West Bengal today we get the statement that Bihar by far and away tops the list in sending immigrants to West Bengal followed very very far behind by Uttar Pradesh. 21.1 per cent. of the people of West Bengal consist of immigrants and most of these are from Bihar. In return for our generosity we have got nice epithets hurled at us by the friends in Bihar. We do not want to say any hard things about them. All that we want to say is

that Bengalees in 1905 unsettled the settled fact; if Bengalees' just claims are not admitted by the Centre or by any authority the Bengalees will repeat their history once again.

[12-20—12-30 p.m.]

Janab Abdul Halim:

মিঃ চেয়ারম্যান, স্যার, মাননীয় প্রধানমন্ত্রী ডাঃ বিধানচন্দ্র রায় রাজ্য পুনর্গঠন কমিশনের রিপোর্ট আলোচনার জন্য এখানে একটি প্রস্তাব উপস্থাপিত করেছেন। আমি এই রিপোর্ট সম্পর্কে আমার বক্তব্য সংক্ষেপে পেশ করবো।

আমি প্রথমে রিপোর্ট সম্পর্কে আলোচনা করে আমার যা বক্তব্য বা সাজেশান তা পরে বলবো। আমি প্রথমেই উল্লেখ করতে চাই যে, এই বিরাট রিপোর্টে সামান্য কয়েকটি সুপারিশ আছে, যথা—রাজপ্রমুখদের অবসান, দক্ষিণ ভারতে ভাষাভিত্তিক রাজ্য গঠন, যোগদিলকে ভাল বলা যেতে পারে। তা ছাড়া সমগ্রভাবে পুরা রিপোর্টকে গ্রহণ করার জন্য কোন মতেই সুপারিশ করা যায় না। কোন রকম পরিবর্তন সাধন না করে যদি রিপোর্টকে গ্রহণ করা হয় তাহলে জটিল অবস্থার সৃষ্টি হবে। এই রিপোর্টে যে সুপারিশ আছে তাতে প্রত্যেক রাজ্যেই ভাষা ও সংস্কৃতিভিত্তিক সংখ্যালঘিষ্ঠ সমস্যার সমাধান না হয়ে চিরস্থায়ী হবে, জাতীয় প্রতিদ্বন্দ্বিতা, দ্রাব্ধতা, সংঘর্ষ বৃদ্ধি পাবে। সংখ্যালঘিষ্ঠদের ভাষা ও কৃষ্টির ধ্বংস হবে; তাদের বিবেকী আত্মপ্রকাশের পথ বন্ধ হবে। যেমন আমরা দেখতে পাচ্ছি আসামে কংগ্রেসী গভর্নমেন্টের দ্বারা অলরেডি সূর্য হয়েছে। বোম্বেতেও রিপ্রেসন সূর্য হয়ে গিয়েছে। বড়ই দুঃখের বিষয়, বোম্বেবাসীরা যখন এই রিপোর্ট নিয়ে আলোচনা করছে, সেখানে আলোচনা চলেছে, তখন সেখানকার জনসাধারণের উপর গুলি চালনা করে, তাদের হত্যা করে, তাদের আন্দোলনকে দমন করার চেষ্টা হচ্ছে। এই রিপোর্টের সুপারিশ গ্রহণ করা হলে, ভারতের ঐক্য ও নিরাপত্তা দুর্বল হবে বলেই আমি মনে করি।

পূর্ববঙ্গে বাংলা ভাষাকে মর্যাদাদান সংবিধানগতভাবে দিতে যাচ্ছেন; সেই রকম পশ্চিম দৃষ্টিভঙ্গী থাকা চাই, শাসনবিভাগীয় দৃষ্টিতে বিচার করলে চলবে না। আমরা মনে করি, রাজ্য পুনর্গঠনের উদ্দেশ্যে যে নীতিই গ্রহণ করা হোক না কেন, অনেক রাজ্যে কিছু কিছু সংখ্যালঘিষ্ঠ সমস্যা বিদ্যমান থেকে যাবে। একমাত্র উন্নত, প্রগতিশীল, জাতীয় দৃষ্টিভঙ্গীই এই সকল সমস্যার সমাধান করতে পারে। কিন্তু, দুঃখের বিষয় যে, রাজ্য পুনর্গঠন কমিশন বা কংগ্রেস ওয়ার্কিং কমিটির দৃষ্টিভঙ্গী এই ব্যাপারে কোন সূরাহা করতে সাহায্য করতে পারে না। আমরা জানি পূর্ববঙ্গে বাংলা ভাষাকে সংবিধানের ভিত্তিতে মর্যাদাদান দেবার ব্যবস্থা হচ্ছে। কিন্তু এখানে সেই দৃষ্টিভঙ্গী না থাকার ফলে আমাদের প্রভূত ক্ষতি হবে। এই রিপোর্টের আলোচনা প্রসঙ্গে আমরা বলতে চাই যে, নির্ভুল বৈজ্ঞানিক ভিত্তিতে নতুন রাজ্য গঠনের জন্য সীমানা পুনর্বিন্টনের সূচী নীতি গ্রহণ করা সম্ভব এবং আমরা সেই নীতিই উপস্থিত করতে চাই। সেই নীতি হচ্ছে ভারতের প্রকৃত ঐক্য ও নিরাপত্তার জন্য নতুনভাবে রাজ্য গঠন করতে হবে এবং ভাষা, কৃষ্টি এবং এলাকার সান্নিধ্যে এবং জনসাধারণের ইচ্ছা ও আকাঙ্ক্ষার ভিত্তিতে গ্রামকে সর্বনিম্ন ইউনিট ধরে সীমানার পুনর্নির্ধারণ করতে হবে। ইংরাজের সৃষ্ট প্রদেশগুলিরও পুনর্গঠন করে জাতীয় সংস্কৃতির উন্নতিবিধান করতে হবে। জেলা বা তহশীলের পরিবর্তে গ্রামকে একটি মূল ইউনিট হিসাবে গ্রহণ করতে হবে। এইভাবে জনগণের স্বাধীন ইচ্ছানুযায়ী ভাষাভিত্তিক প্রদেশ গঠিত হলে তাহা জনসাধারণের কৃষ্টি এবং ভাষার বিকাশের পথে সহায়ক হবে, উপযোগী হবে। জনসাধারণ রাজ্যের কাজে অংশ গ্রহণে সাহায্য করতে পারবে; এবং পাম্ববর্তী রাজ্যের সঙ্গে গণতন্ত্র ও সৌভ্রাতৃমূলক সম্পর্ক স্থাপনের সহায়তা করবে। একমাত্র এই পথে ভারতের ঐক্য ও নিরাপত্তার সূরাহা হতে পারে এবং সংখ্যালঘদের পক্ষে সমস্যার সমাধান হবে। প্রত্যেকটি দেশবাসীকে তাহার কর্তব্যে উদ্বুদ্ধ করতে হলে, তার কৃষ্টি, ভাষা ও জীবনধারণের মান উন্নততর পর্যায়ে তুলতে হবে। আমরা যে সম্পূর্ণ স্বাধীন ও উন্নত ভারতের স্বপ্ন দেখি তাহা শুধুমাত্র সরকারী প্রচেষ্টার দ্বারা সম্ভব নয়।

আমরা জানি যে, বহু ভাষা, বহু জাতির দেশ সোভিয়েট ইউনিয়ন কিরূপ কৃতকার্ণতার সহিত এই পথ অনুসরণ করে সংখ্যাগরিষ্ঠদের সমস্যা সমাধান করেছে। জনগণতান্ত্রিক চীনও স্বাধীনতা প্রাপ্তির পর হতে এই একই পথ অনুসরণ করে, জাতীয় সমস্যা ও সংখ্যাগরিষ্ঠ সমস্যা সমাধানে অগ্রসর হয়েছে। আমরা নির্ভুল, বৈজ্ঞানিক নীতির উপর দাঁড়িয়ে বলতে চাই যে, আমরা অসঙ্গতভাবে কোন এলাকাকে বাংলাদেশের অন্তর্ভুক্ত করতে চাই না, যা প্রকৃতপক্ষে বাংলার নয়। যারা আমাদের ভাষায় কথা বলে না, এমন কোন লোককে আমরা বাংলার সঙ্গে সংযুক্ত করতে চাই না। যারা আমাদের সঙ্গে সংযুক্ত হতে অনিচ্ছুক তাদেরও আমরা অন্তর্ভুক্ত করতে চাই না। যেসব লোক সংলগ্ন এলাকায় একই ভাষায় কথা বলে এবং আমাদের সঙ্গে সংযুক্ত হতে চায় তাদেরই শৃঙ্খল আসতে দেওয়া উচিত।

খুবই আশার কথা এই যে রিপোর্টে বিহারের পূর্বদিল্লী থানা পশ্চিম বাংলার সাথে অন্তর্ভুক্তির জন্য সুপারিশ করা হয়েছে। কিন্তু চার থানাকে কেন বাদ দেওয়া হ'ল? রাজাপূনর্গঠন কমিশন প্রকৃতপক্ষে বাংলাভাষাভাষী একটি এলাকাকে পশ্চিম বাংলার বাইরে রাখার সম্পর্কে কোন যুক্তি দেখান নি। চার থানা ও পশ্চিম বাংলার সাথে সংযুক্ত হওয়া উচিত।

তারপর পশ্চিম বাংলার সংলগ্ন বাংলাভাষাভাষী ধলভূম মহকুমার এলাকাগুলিও পশ্চিম বাংলার সাথে সংযুক্ত হওয়া উচিত। কিন্তু রিপোর্টে যে যুক্তি কমিশন দেখিয়েছেন, সেটা নিতান্তই হাস্যকর। পশ্চিম বাংলার সীমানা সংলগ্ন বাংলাভাষাভাষী এলাকাগুলি আমাদের পশ্চিম বাংলার সাথে সংযুক্ত হওয়াই বাঞ্ছনীয় ব'লে আমি মনে করি। প্রকৃতপক্ষে পশ্চিম বাংলা ও বিহার সীমানার সবটাই ভাষা, সামিধ্য ও জনগণের ইচ্ছা ও আকাঙ্ক্ষার ভিত্তিতে পুনর্গঠন করা উচিত।

শাসন কার্য পরিচালনার সুবিধার জন্য কিংবা যাতায়াতের পথ সুবিধাজনক ও সুনাম করবার জন্য সীমানা নির্ধারণের যে যুক্তি ও নীতি কমিশন দিয়েছেন আমরা তার বিরুদ্ধে। এই ধরনের যুক্তি আমাদের গভর্নমেন্ট দিয়েছেন, বিহারে অজয় নদীর ক্যাচমেন্ট এরিয়া নির্গত হওয়ার বা উৎসমুখ এলাকার অন্তর্ভুক্তি সম্পর্কে, বা রাজাপুনর্গঠন কমিশনের সুপারিশ ধলভূম কিংবা চার থানাকে বিহারে রাখারও ঐ যুক্তি দিয়েছেন। আমি মনে করি কেন্দ্রীয় সরকারের অধীনে রাজ্য সরকারের অসুবিধা না হওয়াই বাঞ্ছনীয়। তাতে সমস্যা দূর হতে পারে। যা আমাদের ন্যায্য প্রাপ্য নয়, তা আমাদের মধ্যে আনা উচিত নয়। মহানন্দার পূর্ব পারে পূর্ণিয়ার অন্তর্গত এলাকাকে শৃঙ্খলা শাসনগত কারণে কিংবা করিডোর হিসাবে রাজ্যগঠন কমিশনের সুপারিশকে কোনমতেই সমর্থন করা যায় না এবং সেটা গ্রহণ করতেও বলাই না। অবশ্য যদি দেখা যায় এই এলাকায় এমন সব গ্রাম আছে যেগুলি বাংলাভাষাভাষী এবং পশ্চিম বাংলার সংলগ্ন, তাহলেই সেগুলির পশ্চিম বাংলার অন্তর্ভুক্তি যুক্তিসঙ্গত। রাজাপুনর্গঠন কমিশনের রিপোর্টে বিভিন্ন রাজ্যের সংখ্যাগরিষ্ঠদের স্বার্থ সংরক্ষণের জন্য অনেকগুলি সুপারিশ করা হয়েছে। কিন্তু কমিশন দার্জিলিংএর পাহাড়ী এলাকার নেপালীভাষাভাষী অধিবাসীদের পশ্চিম বাংলার মধ্যে আঞ্চলিক স্বায়ত্তশাসনের অধিকারের দাবীকে সম্পূর্ণরূপে অগ্রাহ্য করেছেন। এই ধরনের আঞ্চলিক স্বায়ত্তশাসন শৃঙ্খল নেপালীভাষাভাষী জনগণের উন্নতি এবং আত্মবিকাশের জন্যই প্রয়োজনীয়, তাহা নহে, পশ্চিম বাংলা রাজ্যকে শক্তিশালী করবার জন্যও এর যথেষ্ট প্রয়োজন আছে।

তেমনি, খুবড়ীর প্রশ্নে পশ্চিম বাংলায় এবং আসামে অনেক তর্কবিতর্ক, বাক-বিতণ্ডার সৃষ্টি হয়েছে এবং আমাদের কংগ্রেসী নেতৃবর্গের দ্বারা বাঙালীর উপর দাঙ্গাও অনুষ্ঠিত হয়েছে। আসামীরা দাবী করেছেন যে খুবড়ীর অধিবাসীরা বাংলাভাষাভাষী নন, এবং তাঁরা বাংলায় আসতে চান না। কিন্তু পশ্চিম বাংলার পক্ষ থেকে এর বিপরীত দাবী করা হচ্ছে। আমরা মনে করি উভয় গভর্নমেন্ট আপোষে ও বন্ধুভাবে এই বিবাদের মীমাংসা করতে পারেন এবং তারা জন্য একটা নিয়মিত মৈসনারী মারফত প্রকৃত ঘটনা ও জনসাধারণের ইচ্ছা নির্ণয় করার প্রস্তাবে তাঁদের সম্মত হওয়া উচিত। প্রকৃতপক্ষে আমরা কমিশনকে এই বিষয়টী ঠিকভাবে পরীক্ষা করতে বলেছিলাম। কিন্তু কমিশন তা না করে এই বিতণ্ডা জইয়ে রেখেছেন। কেউ কেউ হ্রিপুরা, কাছাড় কিংবা মনিপুরকে পশ্চিম বাংলার সাথে সংযুক্ত করার দাবী করেছেন। আমরা মনে করি এটা নীতিহীন ও অর্থোক্তিক দাবী। এই স্থানগুলি পশ্চিম বাংলায় আসতে চায় না। এমন কি হ্রিপুরার বাংলাভাষাভাষী অধিবাসীরাও পশ্চিম বাংলায় আসতে চায় না।

হিঙ্গুদা এবং মনিপুর্ নিব্বাচিত বিধান পরিষদ ও দায়িত্বশীল গভর্নমেন্ট সহ তাদের স্ব স্ব গণতান্ত্রিক কাঠামোর মধ্যে পৃথক থাকতে চায়। আমরা সম্পূর্ণরূপে তাদের দাবী সমর্থন করি।

ভাষা, সাক্ষ্য, জনসাধারণের ইচ্ছা এবং গ্রামকে ইউনিট হিসাবে গ্রহণ এই নীতির উপর ভিত্তি করে আমরা মারাঠীদের রাজধানী বোম্বাই সহর সহ সংযুক্ত মহাক্ষম্ভ গঠনের দাবীর সংগ্রামকে সমর্থন করি। কংগ্রেস ওয়ার্কিং কমিটির জাতীয়তা বিরোধী ও একচেটিয়া পুঁজিপতি স্বার্থের পক্ষপাতী নীতির আমরা তীব্র নিন্দা করি। অশ্ব ও তেলোগানাকে ঐক্যবন্ধ করে বিশাল অশ্বের দাবীর আন্দোলনকে আমরা সমর্থন জানাই।

আমরা যে নীতি উপস্থাপিত করেছি, তার ভিত্তিতে পশ্চিম বাংলার সীমানাকে পুনর্গঠন করা হ'ক। আমাদের যা ন্যায্য প্রাপ্য, তা-ই আদায় করা হ'ক। যা আমাদের ন্যায়সঙ্গতভাবে প্রাপ্য নহে, তা কিছুতেই জোরপূর্বক আদায় করতে চাই না। যেমন বিহার বলছে আমরা সূচ্যগ্র ভূমিও দেব না।

আমাদের স্মরণ রাখা উচিত ভারত এক, আমরা সকলে ভারতমাতার অংশ। কাজেই আমরা ভারতের ঐক্য, নিরাপত্তার জন্য এবং দেশের সংস্কৃতি ও কালচারের উন্নতিবিধানের জন্য, তদুপরি আমাদের বাংলাদেশকে স্বেচ্ছাভাবে গড়ে তোলার জন্য আমাদের ভাষাভিত্তিক সংস্কৃতি ও কালচার এবং কন্সটিগুটি এই দাবীর ভিত্তিতে আমাদের যে অধিকার, সেইটাকে আমরা সমর্থন করি।

Mr. Chairman: The Council stands adjourned till 9 a.m. tomorrow.

Adjournment.

The Council was then adjourned at 12-30 p.m. till 9 a.m. on Tuesday, the 6th December, 1955, at the Legislative Buildings, Calcutta.

Members absent.

Banerjee, Sj. Sankar Das,
Bose, Sj. Subodh Kumar,
Guha, Sj. Prafulla Kumar,
Mahammad Syeed Mia, Janab,
Prodhan, Sj. Lakshman,
Frosad, Sj. R. S. and
Sarkar, Sj. Pranabeswar.

COUNCIL DEBATES

Tuesday, the 6th December, 1955.

THE COUNCIL met in the Legislative Chamber of the Legislative Buildings, Calcutta, on Tuesday, the 6th December, 1955, at 9 a.m. being the second day of the Eighth Sessions, under the Constitution of India.

Mr. Chairman (The Hon'ble Dr. SUNITI KUMAR CHATTERJI) was in the Chair.

[9—9.5 a.m.]

GOVERNMENT RESOLUTION ON THE REPORT OF THE STATES REORGANISATION COMMISSION

Sj. Annada Prosad Choudhuri: Mr. Chairman, Sir, we have given our careful consideration to the report of the States Reorganisation Commission but I must confess that they have failed to reflect the correct appreciation of the formation of a compact unit for the State of West Bengal, both financially and in extent. Sir, we have lived and grown with the idea of the delimitation of the great continent of India on linguistic basis. The Congress Party which is in power both in the Centre and in the States has been advocating this theory from as late as 1920. In the Congress Session at Nagpur in 1920, the Congress advocated the policy of delimitation of the continent of India on linguistic basis. In 1928, Sir, the All Party Nehru Committee also accepted it. In 1937 in the Calcutta Session of the Congress the proposal of formation of separate provinces of Andhra and Karnatac was accepted: that was also on linguistic basis. On the very same reasons, Sir, the Working Committee at Wardah next year, i.e., 1938, passed a resolution of formation of separate provinces of Andhra, Karnatac and Kerala, but surprisingly, Sir, this Government when they passed the resolution for the formation of the Commission for the reorganisation of the States passed a resolution saying that the States Reorganisation Commission was appointed on December 29, 1953, by a Government of India resolution to examine the whole question of the reorganisation of the States of Indian Union objectively and dispassionately so that the welfare of the people of each constituent unit as well as the nation as a whole is promoted. But, Sir, the advocated policy of delimitation on linguistic basis started from 1928 by the same Congress Party was given a go-by at least so far as the State of West Bengal is concerned. It has been observed in the report and a reference has been made to the growth of regional languages and their development into rich and powerful vehicles of expression creating a sense of unity among the peoples speaking them.

[9.5—9.10 a.m.]

But, Sir, in actual practice, in their proposals, that has not been given the due importance and weightage as it should have been so far as the State of West Bengal is concerned.

Sir, it has been stated that contribution of these languages to the unity of the country itself need be appreciated, but it has not been done. The units in a vast multi-lingual federal State like India are not merely so many administrative units, but each of them represents the whole history of a race which found its expression in the growth and development of a language. The desire of the people, residing in contiguous areas and speaking the same language, to have a consolidated administrative unit is

thus not only natural but also rational. Though the Commission seems to have recognised the significance of regional languages and their historical role, it has failed to be consistent in its logic in determining the boundary of Western Bengal. In regard to re-fixation of boundaries of Western Bengal, the Commission has been rather inclined not to give weightage on the language issue.

Sir, I have followed with great attention the statement which the Hon'ble Chief Minister made yesterday, but I must confess that he was not able to explain why he left out the Bengali-speaking tracts of Goalpara and Tripura. In the report of the Commission itself it has been stated that there is a predominantly Bengali-speaking element both in Goalpara and Manbhum. The Chief Minister chose to select Manbhum to be amalgamated and merged with Western Bengal, but I do not know the reasons why he did not take into his consideration the Goalpara district. In Goalpara the Bengali-speaking and the Assamese-speaking people constituted 54 per cent. and 19.4 per cent. respectively according to the census of 1931. But, Sir, for reasons unknown, with the manipulation of certain interested persons or parties, that figure was reversed and the Commission itself was not able to find a satisfactory explanation of the striking variations between the 1931 and 1951 census figures. So also with Tripura, Sir. There is a predominantly Bengali-speaking section in Tripura State also. But, of course, it may be argued that Tripura State is cut away from the State of West Bengal. But, I submit, Sir, that if Andamans being cut away from the continent of India can be administered from Delhi, I do not see any reason why Tripura cannot be administered from Calcutta. Moreover, Sir, it may be cut off today, but, I hope, Sir, that the same relationship which obtains with the Pakistan Government today may not continue for all time to come and the position may be eased when communication between Tripura and Calcutta and West Bengal by land may be more easy.

[9-10—9-15 a.m.]

Therefore, I suggest, Sir, that in our recommendation we should include the districts of Goalpara and Tripura, so that a compact Bengali-speaking State can evolve.

Sir, it has been stated, and a note was taken by Dr. B. C. Roy yesterday about the financial stability of Western Bengal and how the Commission in their report were worried about the financial instability which might be brought about in Bihar if certain parts of that State were merged with Western Bengal. Sir, it was in the past that parts of Western Bengal were taken out and merged with Bihar to bring about stability of Bihar, but after partition when Bengal is truncated and is one-third of the whole State, does it not stand to reason that Bengal should be given what was its own, what was Bengal's in the past, and what was taken away from Bengal to give stability to other provinces? But, Sir, nobody is now concerned about the difficulties of Bengal. West Bengal is cut off from its northern part, and it is a small area where again there are many difficulties to be faced. Therefore if that area is amalgamated with Goalpara, and if there is a corridor connecting the southern part with northern Bengal through a large tract from Purnea district then this Bengal which was once stable and which parted with many of its limbs to bring about stability to its contiguous provinces may be once more stable. I request the contiguous States not to forget the past and allow Bengal to be stable both financially and in its extent once more.

There is another big problem, i.e., of the refugees. There has been a great problem created by the partition of Bengal. The refugees came by

thousands, and I must confess that I am one of those who went to Dacca and Chittagong and argued with the leaders in the Bar libraries to agree to the partition of the country, so that Western Bengal might have a stable Government and might have a stable social and economic condition, and it was with their agreement, Sir, that the original Bengal was partitioned, and at their sacrifice, Sir, I must say that we have got rid of 55 per cent. Muslim majority, and our Ministers who are sitting today are in the benches, which they could not have dreamt of if 55 per cent. Muslim majority continued in this State. We gave them promises, and we said that if there be any emergency and if by any chance, God forbid, they felt insecure in this tract they would be given a homeland where they would have no difficulties as far as possible. The eventuality has come. Western Bengal, small as it is, is not able to provide habitation for the large percentage of people who have migrated. But our Government in their anxiety to get them rehabilitated are sending them to U.P., to Travancore-Cochin or Bangalore or to any other part which they can never or we can never claim as Bengal. I know of persons, Sir, in Orissa. I know of families in Bhagalpore and Purnea whose forefathers migrated from Bengal to those parts. They do not know from which village or which district they migrated, but they have not only forgotten their language, they can hardly speak correct Bengali in Orissa. They cannot write Bengali, but they are put to all sorts of difficulties economically.

[9-15—9-20 a.m.]

A Chatterjee, because he has that title of Chatterjee although he does not know the village or the district from where he went to Orissa, had to face many disabilities both in educational and economic life. He is not entitled to get a job under Government in Orissa because his forefathers had the title of Chatterjee and once inhabited a village in Bengal. Similarly, Sir, in border districts such as Purnea these Bengalis have even now to experience these privations. Therefore, we shall be honest, we shall be fair to the refugees who have come over to Western Bengal to be rehabilitated in a place where their language, where their culture, where their history and past traditions will not only be safeguarded, but they will be given economic help and economic rehabilitation which they deserve. Sir, in the interests of the refugees with whose rehabilitation we are so much worried, we should press for reamalgamation with Western Bengal the Bengali-speaking tracts now falling in Bihar or in Assam which were once Bengal's. Therefore, it is not only Manbhum, it is not only Dhalbhum subdivision of the Singhbhum district but I must say with all the emphasis I can command the district of Goalpara and the State of Tripura should also come to West Bengal.

Sir, I forgot to mention about other tracts in Santhal Parganas which are contiguous to West Bengal. In the end I shall summarise my statement, as I have been asked to do, after I have finished my speech.

I shall, in conclusion, refer to Government both in the State and in the Centre to the history which has led to the formation of the State of Andhra and the circumstances which had practically forced the hands of the Commission to certain conclusions by which certain tracts, certain districts in Travancore-Cochin or in Bombay or in Madhya Pradesh or in Hyderabad had been transferred to one or the other contiguous States. Sir, in each case it has been stated that the wishes of the people should be regarded as an important factor bearing on reorganisation. And in consequence of this while the reorganisation of Madras and the State of Travancore-Cochin had been proposed to be made, five Tamil-speaking talukas now in Travancore-Cochin have been transferred to the State of Madras; and the

district of Malabar and South Canara and some talukas of the Coimbatore district should be detached from Madras. We know very well that there has been agitation going on for the transference of some Talukas now in Travancore-Cochin to Madras, but, Sir, this has not happened peacefully. There was agitation I should say. There was agitation more or less not only on non-violent line but on violent line also which forced this Commission to make its observation that this decision of the removal of these Talukas from Travancore-Cochin to Madras will also meet the clearly expressed local demand.

[9-20—9-25 a.m.]

Sir, in the case of Hyderabad it has been stated also that Hyderabad cannot be retained in its present form when major reorganisation in response to the public demand is being undertaken. So also in the case of Rajasthan and Bombay. The transfer of the Abu Road taluk of the Banaskantha district from Bombay to Rajasthan will be justified on the ground of linguistic affinity and persistent local demand and at the same time the Commission opines the cause for the Punjabi-speaking State falls firstly because it lacks the general support of the people inhabiting the area and secondly because it will not eliminate all the causes of friction from which the demand for a separate Punjabi-speaking State emanates. I should not go into the case of Andhra although the case of delimitation of Andhra as a separate State was passed in 1937-1938, but it was not implemented till the public demand went beyond the limits of law and Ramalu gave his life for creating this separate State. In this connection I would like to sound a note of warning both to the people of West Bengal and the Bengali-speaking people inhabiting the district of Manbhum, Goalpara and Tripura that let not the condition be created either by the Government or by the people so that that might transgress the limits of law to create a condition which will enforce such a condition and the posterity will think that it is not the Commission which has given it but because there was a public demand, because the people took law into their own hands, people created a situation which compelled the Government in power to accede to their demand. Sir, it will be an unfortunate situation. I have seen with my own eyes in Bombay the other day when there was a certain amount of bus-burning on the streets and I cracked jokes with them saying "You have now copied the methods of Calcutta—you have studied the burning of buses. But do you think that if you go on creating such conditions you can carve out an independent State as the Travancore-Cochin which the Andhriles created in Andhra to get their State carved out?" They said "Yes, we shall not stop until Bombay is amalgamated with the Maharashtra State and we want to carve out an independent State of our own." Sir, let it not be left there. I would like to sound a note of warning to the people of the States and to the Governments both in the States and in the Centre not to create a situation which will compel or excite the people to take law into their own hands but to force the hands of Government or of a future Commission to carve out a separate State. The people should make representation both to the Government of West Bengal and to the Centre so that their legitimate demand may be acceded to and the State may be formed and Bengal may have what it was once.

In conclusion, Sir, I would like to read out to you a summary of my demand which I would like the Government of West Bengal to forward to the Centre. It is felt that the report of the present States Reorganisation Commission do not reflect an appreciation of the necessity of a compact State of West Bengal including the contiguous Bengali-speaking areas of Dalbhum in Singbhum district, whole of Manbhum, Goalpara, Tripura and large part of the Purnea district and part of the Santal Parganas.

[9-25—9-30 a.m.]

Reference has been made to the growth of regional languages and their development into rich and powerful vehicles of expression creating a sense of unity among the people speaking them. Contribution of these languages to the unity of the country itself need be appreciated. There is no conflict between the urge of the people speaking a common language to have a common administrative unit and unity of the country.

The units in a vast multi-lingual federal State like India are not merely so many administrative units. Each of them represents the whole history of a race which found its expression in the growth and development of a language. The desire of the people residing in contiguous areas and speaking the same language to have a consolidated administrative unit is thus not only natural but also rational. But though the Commission seems to have recognised the significance of regional languages and their historical role, it has failed to be consistent in its logic in determining the boundary of West Bengal.

In regard to fixation of boundaries of West Bengal, the Commission has been rather inclined to give weightage on the language issue. West Bengal's claim on Manbhum, Tripura, Goalpara and Dhalbhum are based on the fact that the population in these areas are pre-dominantly Bengali-speaking. According to the 1931 Census the Bengali-speaking people constituted 67.5 per cent. of the total population of the Manbhum district, while the Hindi-speaking people constituted only 17.7 per cent. Similarly, the Bengali-speaking and Assamese-speaking people constituted 54.9 per cent. and 19.4 per cent. respectively of the total population of Goalpara district. For obvious reasons the Census figures of the areas contiguous to West Bengal were tampered with by interested parties in 1951. The Commission itself was not able to find a satisfactory explanation for the striking variations between the 1931 and 1951 Census figures. Even then, it summarily dismissed the claim of West Bengal to these areas. The case is similar in the case of Tripura and the Dhalbhum subdivision of Singhbhum and parts of Santal Parganas.

I strongly feel that delimitation of the administrative units of the country on linguistic basis is essential for development of the natural tendencies of the people of different regions and therefore reiterate the demand for incorporation of Bengali-speaking areas adjoining West Bengal in this State

Janab Musharruf Hossain: Mr. Chairman, Sir, on an historic occasion like this I do not like to remain silent. The two speeches that have been delivered by my friends opposite makes me all the more to break my silence. I was surprised to find in the speech of my friend Prof. Bhattacharyya the exception which he took to the action of Sir Fazl Ali.

[9-30—9-40 a.m.]

Sir Fazl Ali was after all a Judge. He thinks of justice. For him to shake off the idea of justice is not possible. But when we are to think of politics we are to think in many cases of exigency of circumstances. When a Justice is put in charge of a Commission he fears that sense of justice, honesty, truth and fairplay must not be in any way given up in shaping the report of the Commission. So, so far as Bihar is concerned he kept himself absolutely aloof because he knew that if he is to live in Bihar as a Bihari he cannot give up many of his friends who are there. So when he said that he will not do anything it was just for the good of the country that he said so.

Sj. Nirmal Chandra Bhattacharyya: In that case he ought to have resigned.

Janab Musharruf Hossain: I understand this but after all a human being is a human being. There are people who would not accept anything in the world if he has to sacrifice his principle and probably the gentleman who is speaking is one of them.

Mr. Chairman: Are you speaking on the Resolution or on the motives of a particular member of the Commission?

Janab Musharruf Hossain: Now I come to the point. I will not be lengthy in my speech. I will simply speak about the demand of the Government so far as our Bengal is concerned. First as a man from North Bengal let me speak on North Bengal first. North Bengal is separated from South Bengal by a stretch of land belonging to Bihar. If anybody has got any knowledge of administration and of details of administration he knows as a fact that unless the two parts of the country can be connected administration is not possible. I had been in the administration for a long long time. I know that if I am to go through others' land to govern a land belonging to Bengal it is extremely difficult. So for administrative purpose we must have some land from Bihar especially North Bihar. In this connection they felt a little difficulty in actually connecting South Bengal with North Bengal by the Award that has been made by the S. R. Commission. So they say that East of the river Mahananda should belong to Bengal and West to Bihar. But anybody who knows that part of the country knows that really the national highway goes about four or five miles west of the river Mahananda. So if you are to make a feeder road you must have this portion given to Bengal. Unless that is given this national highway cannot be connected with Bengal. That is absolutely correct. I do not know where the Mechi river has joined Mahananda. I never went to that part of the country. If it is a small area as my friend Dr. Roy says—it is just 10 or 12 miles—it is easy for any State to concede it to Bengal.

Next, of course, comes the southern part. As regards the south I was coming from Patna to Calcutta the other day. When I came to the border of Bengal I began to see growing crop there of such a character that I could never see anywhere else in the country. I came from East Bengal—all the way I found they are dry—the crop was failing. When I saw this part I was amazed to see that the crop was so good that one ought to be proud of possessing a place like that. From there I saw the border of Orissa also. All these places have got bumper crop. That means that the irrigation project that has been undertaken by my friend Dr. Roy especially I must say is responsible for the change of character of the soil altogether. I am personally an agriculturist. I knew that from here up to the border of Burdwan district—43 miles from here—practically there was hardly any crop growing anywhere. When I was there there was a drought. But this time also there was a drought. Those 43 miles have also been added to the irrigated area. Now, I see there also crop is growing but not to the extent as it grew in the Northern part where silt was depositing for the last 25 years. I know if silt were to deposit for another 25 years on this side of that 43 miles that would also have a bumper crop here.

Mr. Chairman: Would you please confine yourself to the Resolution?

Janab Musharruf Hossain: Yes. This being the state of affairs anybody who has got any sense must admit that all the catchment areas of these irrigation channels must belong to Bengal or must be under the Government of India if it is not granted to Bengal—it ought to be under the

Government of India at least so that the catchment area may be controlled. This catchment area means all that my friend the Chief Minister wants, and nothing more. If the catchment area is given the rest may belong to A, B, C or D, I do not mind but the catchment must belong to Bengal so that they can develop the land in the South.

[9-40—9-50 a.m.]

That means Dhalbhum, Manbhum and all places where the catchment areas exist should also come to Bengal. That is all that I can say. That practically finishes my support so far as that part of Bengal is concerned.

As regards Tripura, I come from that part of the country. I love that place. I would like that Tripura should come with us. When I say so, I have got my relations and friends there, and naturally I would like that they come with us. As my friend Shri Annada Prosad Chaudhuri said, if Delhi can rule Andaman and Nicobar islands cannot we rule a little place like Tripura? I wonder. Fortunately, I may tell you that this is nobody's land now. That is not the land of the Assamese. Assamese cannot claim it, they do not claim it even. They say that if that is given in their charge they want so many crores of rupees for the development of the place and they want some guarantee from the Government of India for grants. So they are not very happy. They do not care about it. If Assam does not want it, we want it. My Chief Minister may not like it, he may give it up. After all we want the place to be with us. So I would add that that place should come with us.

As regards other parts of Assam, I have nothing to say because lot of people have spoken on that.

On the whole, I must say, that I support the demand that is being made by the Government of Bengal so far as Bengal is concerned and nothing more.

Sj. Tarasankar Banerjee:

মাননীয় সভাপতি মহাশয়, ১৯৪৭ সালের পর থেকে আমরা বহুদিন থেকে প্রত্যাশা করে বসেছিলাম যে, সমগ্র ভারতবর্ষের কল্যাণের জন্য যে ভারতবর্ষ বহু প্রদেশে সমবায় গঠিত, সেই ভারতবর্ষের প্রত্যেকটা প্রদেশে তার ঐতিহাসিক, তার সাংস্কৃতিক, তার রাজনৈতিক অবস্থা বিচার করে প্রত্যেক প্রদেশকে স্বয়ংসম্পূর্ণ করে ভারতবর্ষের প্রতিটা প্রদেশকে সার্থক করে, তার জীবন প্রতিষ্ঠাকে সার্থক করে, তার অর্থনৈতিক প্রতিষ্ঠা, তার সাংস্কৃতিক প্রচেষ্টা, তার জীবনধারণের সকল প্রচেষ্টাকে সার্থক করে তুলে সমগ্র ভারতবর্ষকে অখণ্ড ও পরিপূর্ণভাবে সার্থক করে তোলার ব্যবস্থা করা এবং সেই প্রত্যাশা আরও আমাদের গাঢ় হয়েছিল, যখন এই সীমানা নির্ধারণ কমিশন নিযুক্ত হয়েছিলেন কেন্দ্রীয় সরকারের দ্বারা। কিন্তু সত্য কথা বলতে, সীমানা নির্ধারণ কমিশন যে বাংলাদেশে সাক্ষ্য এবং অবস্থা প্রত্যক্ষ করে, পরীক্ষা করে এবং গ্রহণ করে তাঁরা যে বাংলাদেশের পক্ষে যে নির্ধারণ দিয়েছেন সেই নির্ধারণ আমাদের আশঙ্কা করেছে। আমি একথা বলছি না যে, বাংলাদেশের বিশেষ দাবীর দিকে লক্ষ্য করতে বলছি না, তবে বাংলাদেশের ঐতিহাসিক ও সাংস্কৃতিক দাবীর দিকে লক্ষ্য করা তাঁদের উচিত ছিল।

১৯১১ সালে কংগ্রেস যে প্রস্তাব এবং ১৯১২ সালে বিহার নেতাদের যে মন্তব্য—এগুটির উপর যে গুরুত্ব দেওয়া উচিত ছিল, তা তাঁরা দেন নি। ভারতবর্ষ সামন্ততান্ত্রিক আমলে রাজ্যলোভী সামন্তদের গ্রাসে ক্ষতবিক্ষত হয়েছিল। জনগণের সঙ্গে তাঁদের বিশেষ কোন সম্পর্ক ছিল না। সুতরাং তাঁরা জনগণের সাংস্কৃতিক দিকের প্রতিও লক্ষ্য করেন নি। তাঁরা এক ভুখণ্ড তাঁদের শক্তিক্রমে নিজেদের মধ্যে গ্রহণ করেছিলেন এবং গ্রহণ করে ভারতবর্ষের সংস্কৃতিকে, প্রাদেশিক সংস্কৃতিকে ক্ষতিগ্রস্ত করেছিলেন। তারপর এলো ইংরেজ। সাম্রাজ্যবাদী ইংরেজ বাংলাদেশকে খণ্ডিত করে, তার সংস্কৃতিকে, তার জীবনাবৃত্তিকে দুর্বল করার জন্য

তার উপর আঘাত হানবার জন্য, তাকে যারবার খণ্ডিত করতে লাগল। তারা ১৯০৫ সালে বাংলাকে খণ্ডিত করেছে। ১৯০৫ সালের খণ্ডন রহিত করবার জন্য যে প্রবল আন্দোলন বাংলাদেশে উপস্থিত হয়েছিল, সেই প্রবল আন্দোলনের ফলে তারা পরাজয় মানে। তারা পূর্ব-বঙ্গের সঙ্গে পশ্চিমবঙ্গকে একত্রিত করে মানভূম বিহারকে স্বতন্ত্র করে দিলেন। বিহারকে স্বতন্ত্র করে দেবার সময় এই বাংলাদেশের অংশবিশেষকে খণ্ডিত করতে তাঁরা ভুল করলেন না। মানভূমকে কেটে বের করে দেওয়া হল। পূর্ণিয়া, কিষাণগঞ্জ প্রভৃতি অঞ্চলে, যে সমস্ত অংশের অধিবাসীরা বাংলালী, বা বাংলা ভাষাভাষী, বা তাদের ভাষার সঙ্গে বাংলাভাষার সঙ্গে ঐক্য ও সাদৃশ্য ছিল, তাদের পর্যন্ত কেটে বিহারের সঙ্গে যুক্ত করলেন। প্রত্যন্ত দেশের ভাষার সঙ্গে অবশ্য দুই প্রদেশের ভাষার প্রভাব কিছু না কিছু থাকে। কিন্তু, সেখানে, বিচার করতে হয় কোন প্রদেশের ভাষার সঙ্গে কোন আচার, কোন সংস্কৃতির সঙ্গে বিশেষ ঐক্য আছে। মানভূমে আমার জীবনের এক অংশ কাটে। আমি স্ট্যাটিস্টিকএর কথা বলছি না। আমার প্রত্যক্ষ অভিজ্ঞতা থেকে কথা বলছি। মানভূমের ধানবাদ ও ঝরিয়া অঞ্চলে আমি বহুদিন কাটিয়েছি। আমি জানি, এই জায়গায় সত্যিকারের অধিবাসী যারা আছে, তাদের অধিকাংশই বাংলাভাষী এবং নিম্নশ্রেণীর লোক, যাদের আমরা হরিজন বলে থাকি, তাদের অধিকাংশই সেখানকার এক বৃহৎ অংশে বাস করে, যাদের বলা হয় বাউরী। সেই বাউরী বাংলাদেশের বিশেষ অধিবাসী। বাংলাদেশের বাইরে বাউরী জাতির অস্তিত্ব নাই। মানভূমে বাউরী অধিবাসীর সংখ্যা অনেক এবং অধিক। যদি সাংস্কৃতিকের দিক থেকে দেখা যায় তাহলে দেখা যাবে, বিহারের সর্ব-সাধারণের মধ্যে 'ছট্' রত যেমন বহু জায়গায় প্রচলিত আছে, তেমন বাংলাদেশের মধ্যেও 'গাজন' সর্বাধিক প্রচলিত। এই 'গাজন' মানভূমের বাউরীদের মধ্যে অধিক প্রচলিত, এবং তাদের অধিকাংশই বাংলাতে কথা বলে। তাদের এই বাংলাভাষায় একটা বিচিত্র টান আছে এবং এই বিচিত্র টান থাকায়, আপাতদৃষ্টিতে মনে হয় হয়ত এটা বাংলাভাষা নয়।

[9-59—9-55 a.m.]

কিন্তু বিচার করে দেখলে বোঝা যায় যে, সে ভাষাগুলো বাংলা। কিছুদিন পূর্বে মানভূমের একজন হিন্দী লেখক এসেছিলেন, হিন্দী ভাষায় ও হিন্দী সাহিত্যে তাঁর যথেষ্ট সুনাম আছে। তিনি আমার সঙ্গে আলাপ করতে এসে যখন কথাবার্তা কইতে আরম্ভ করলেন, তখন তিনি চমৎকার বাংলাভাষায় কথা বলতে লাগলেন। আমি তাঁকে প্রশ্ন করলাম—আপনি এ বাংলাভাষা কেথায় শিখলেন। তিনি বললেন, এ বাংলাভাষা সকলেই যেমন করে শিখে থাকে আমিও সেইরকম বই পড়ে শিখিছি। আমি বললাম—এ বাংলা বই পড়ে শেখা যায় না। এ একটা আঞ্চলিক ভাষা। তখন তিনি বললেন—হাঁ, ঠিকই বলেছেন, কোন অঞ্চলের ভাষা বলতে পারেন? আমার সেটার সঙ্গে পরিচয় ছিল, কাজেই আমি সেই মূহূর্তেই বললাম—হয় বাকুড়ার নয়ত মানভূমের। তিনি বললেন—আমার মাতৃভাষা বাংলা, আমার পিতৃভাষা হিন্দী। আমরা বহু-কাল থেকে মানভূমে বাস করে আসছি। মানভূমে বাস করার ফলে জন্মগ্রহণের পর থেকে যে ভাষায় প্রথমে মায়ের কাছে প্রথম কথা বলতে শিখি—সে ভাষা বাংলা। আমি আর তাঁর নাম করব না। কারণ আজকে এটা অত্যন্ত দুঃখের কথা যে, স্বাধীন ভারতবর্ষে যখন আমাদের সমগ্র ভারতবাসীর সর্বাঙ্গীণ উন্নতিসাধনের প্রচেষ্টা হচ্ছে, তখন আমরা প্রাদেশিক ক্ষুদ্রতার মোহে মোহগ্রস্ত হয়ে পরস্পরের প্রতি হানাহানি সুরু করছি। আমি একথা বলব না যে, তাঁরা আমাদের অংশ গ্রাস করতে চাইছেন, এবং একথাও সত্য যে, আমরাও তাঁদের কোন অংশ গ্রাস করতে চাইছি না, আমাদের যা নাকি ন্যায্য প্রাপ্য সেইটেই প্রতাপিত হোক এই আমরা চাই। বাংলা যা হারিয়েছে সেইটে ফিরে পেতে হবে। বাংলা যদি তা ফিরে না পায়, পূর্ববঙ্গ থেকে সমাগত বহু অধিবাসী যারা গৃহহারা হয়ে, আশ্রয়হীন হয়ে আজ ভূমিখণ্ডের অভাবে দেশের মধ্যে ভিক্ষুকের পর্যায়ে পড়েছে, এই ভিক্ষুকের পর্যায়ে পড়েছে ভাইবোনদের মানুষ্যের পর্যায়ে উন্নীত করতে পারব না। যে মানুষের কাঁপুণ্ড ভূমি ও গৃহ নাই, যাকে পাড়ায় পাড়ায় ঘুরে বেড়াতে হয়, সরকারের আশ্রয়ভিক্ষা করে জীবনযাপন করতে হয়, এইরকম মানুষ যে কোন রাষ্ট্রের পক্ষে ভারস্বরূপ। এই ভার বহন করে কোন রাষ্ট্রই বহুদিন চলতে পারে না। এইদিক থেকে, আমাদের যা ন্যায্য প্রাপ্য তা ফিরে পাওয়া উচিত এবং তা আমাদের ফিরে পেতে হবে।

এই প্রসঙ্গে আমি যদি বলি, প্রদেশান্তরের যারা আমাদের দাবীতে বিব্রত বোধ করছেন এবং কেউ কেউ আমাদের মির্জাফরের জাত বলে গালাগালি করছেন, তাঁদের আমি বলি যে, মির্জাফর কোন জাতির নয়, কোন সম্প্রদায়ভুক্ত নয়, অথবা কোন প্রদেশের অধিবাসী নয়; মির্জাফর—যাকে ইংরেজীতে বলে ‘এড্‌ভেণ্চারাস্’—অর্থাৎ ভাগ্যান্বেষী। তিনি বাংলার অধিবাসী ছিলেন না, তিনি অন্য প্রদেশ থেকেও আসেন নি, হজরতের বংশের সঙ্গে নাকি তাঁর সম্পর্ক ছিল, আলিবর্দী খাঁর বৈমায়েয়ী ভূগিনীর সঙ্গে তাঁর বিয়ে হয়; আলিবর্দীর অধীনে তিনি সেনাপতি হয়ে, রাজ্যলোভে বাংলাদেশকে ইংরাজের সঙ্গে ষড়যন্ত্র করে বিক্রয় করেছিলেন। মির্জাফর বাঙালী নয়, বিহারী নয়, মির্জাফর ভারতবাসী নয়, ভারতের কোন প্রদেশেরও অধিবাসী নয়, মির্জাফর একটা স্বতন্ত্র জাতির মানুষ, যারা নাকি পৃথিবীতে ষড়যন্ত্র করে পৃথিবীর সর্বনাশ করতে চায়। এইরকম একটা মানুষের নাম উল্লেখ করে যদি কোন জাতিকে দুর্নামগ্ৰস্ত করা হয়, তার চেয়ে হীনতা আর কিছুই হতে পারে না। আমি এই হীনতার তীব্র প্রতিবাদ করছি, বাংলার পরিষদের পক্ষ থেকে। আর আমার বক্তব্য এই যে, মানভূমটা বাংলার আত্মপ্রতিষ্ঠার জন্য প্রয়োজন। বাংলাকে বাড়তে হবে। যেমন মানুষের বাঁচতে হলে তার আহাৰ চাই, খাদ্য চাই। রবীন্দ্রনাথ বলেছেন—প্রাণ চাই, আলো চাই, মৃদু বায়ু চাই, তেমনি সংস্কীর্ণ বাংলাকে বাড়তে হলে তার আত্মপ্রসারের স্থান চাই। আমি একথা বলব না যে, বাঙালী আধুনিককালের ভারতবর্ষের মধ্যে সর্বপ্রথম প্রগতিশীল জাতি, এই বলে অহংকার করব না, বা এ বলেও অহংকার করব না যে, বাংলাদেশ গত দেড়শো দু’শো বছর ধরে সমগ্র ভারতবর্ষকে প্রেরণা যোগিয়ে এসেছে, বা একথাও বলব না যে, বাংলাদেশ আজ যা ভাবে, সমগ্র ভারতবর্ষ কাল তা ভাবে—এই কথা বলে অহংকার করব না।

[9-55—10 a.m.]

আমি শুধু এই কথা বলব যে, বাঙালী ভারতবর্ষেরই অধিবাসী, অন্য সমস্ত জাতির সঙ্গে সমান অধিকারের দাবী রাখে। এবং সেই দাবীর অধিকারে নিজের বাঁচবার জন্য সে তার ন্যায্য অংশ অধিকার করতে চায়। সেই বাঁচার অধিকার সে হারিয়েছে। তা তাকে দিতে হবে। আমার পূর্ববর্তী বক্তা শ্রদ্ধেয় অন্নদাবাবু বলে গেছেন, বিহারের অর্থনৈতিক দৃঢ়তার জন্য একদিন মানভূমকে দেওয়া হয়েছিল। সেদিন বিহারের অধিবাসীবৃন্দ উদারতার সঙ্গে বলেছিলেন, যখন ভারতবর্ষ স্বাধীনতা অর্জন করবে তখন এই ভূখণ্ড প্রত্যর্পণ করা হবে। দামোদরের ওপার থেকে মানভূমের ঝরিয়া, ধানবাদ প্রভৃতি অংশ সম্বন্ধে আমার প্রত্যক্ষ অভিজ্ঞতা আছে। আমি প্রথম যখন সেখানে গিয়েছিলাম, তখন সেসব বিহারে চলে গিয়েছিল, আজকে বিহারের প্রভাবে সেখানকার ভাষার যত রূপান্তরই হোক না কেন, তখনকার দিনে বাংলাভাষাই ছিল সেখানে সর্বপ্রধান ভাষা, এবং বাংলাভাষাভাষীর সংখ্যাই ছিল সর্বাধিক। একটা প্রদেশের সাধারণ মানুষ যখন একটা বিশেষ প্রভাবের অধীনে যায়, তখন তার ভাষা বদলায়, তার সংস্কৃতি বদলায়, বড়ই দুঃখের মধ্যে বদলায়। অন্নদাবাবু বলে গেছেন, বিহারের কোন অধিবাসী যারা বাঙালী, যাদের পূর্বপুরুষ বিহারে বাস করেছেন, তাদের সঙ্গে কুটুম্বিতার সম্পর্ক আছে। যখন বিবাহের আদান-প্রদানের প্রয়োজন হয় তখন এ চ্যাটার্জি, ব্যানার্জি প্রভৃতি এঁরা বাংলাদেশে আসেন, কন্যা-সম্প্রদানের জন্য পাত্রের খোঁজে। এবং সর্বাপেক্ষা বিপদ হয়, যখন এঁদের সঙ্গে আমাদের সম্পর্ক স্থাপন করা হয়। তাঁদের বাড়ীতে গিয়ে দেখা গেছে যে, আমাদের সংস্কৃতির সঙ্গে তাঁদের মিল খায় না, এবং সেইসব ক্ষেত্রে দুঃখের সঙ্গে এবং লজ্জার সঙ্গে তাঁরা স্বীকার করেন, আমাদের উপায় ছিল না, আমাদের বাংলাভাষা না ভুলে উপায় ছিল না। তাঁরা ইংরেজী জানেন ভাল, খুব ভাল ইংরেজী বলতে পারেন, হিন্দীও বলতে পারেন ভাল, কিন্তু বাংলা জানেন না। বাংলার সংস্কৃতি, বাংলার আচার সেসমস্ত তাঁরা ভুলে গেছেন। এইরকমভাবে জাতির বিশিষ্টতা হারিয়ে সেখানে তোতাপাখীর মত সেই প্রদেশের প্রচলিত যে ভাষা তাতে দক্ষতা লাভ করেছে। তারা ইংরেজী শিখেছে, হিন্দী শিখেছে, কিন্তু মাতৃভাষা ভুলেছে। সেখান থেকে প্রকৃত জীবনের উদ্ভব হয় না। বাংলাদেশ গত দু’শো বছর ধরে যে জীবনের সাধনা করে এসেছে, সেই জীবনের সাধনার মধ্যে যদি বাঙালী জাতি আজ আত্মপ্রতিষ্ঠা ও আত্মপ্রকাশের পূর্ণ সুযোগ না পায়, তাহলে ভারতবর্ষের উন্নতি হবে না এবং তাতে শুধু বাংলার নয়, সারা ভারতবর্ষেরও অকল্যাণ হবে। সমগ্র ভারতবর্ষের কল্যাণের জন্যই আমাদের অন্তত

মানুষের সমগ্র ধানবাদ সাবার্ভিভিসন এবং সমগ্র পূর্বাঙ্গীয়া সাবার্ভিভিসন এই বাংলাদেশের মধ্যে আসার দাবী আমি জানাচ্ছি। চাষ থানা যে কেন বাদ পড়ল তা আমি বুঝতে পারি না। বিচিত্র এ রিপোর্ট! এই রিপোর্ট যাঁরা করেছেন, আমি তাঁদের প্রতি কোন অবিচার করতে চাই না, তবে এইটুকু বলব যে, তাঁরা বাংলাদেশের সব তথ্য হয়ত বিচার করেন নি, এবং বাংলাদেশের জীবনের বেদনা গাড় সহানুভূতির সঙ্গে অনুভব করবার বিন্দুমাত্র চেষ্টা করেন নি। যদি এই সহানুভূতি থাকত এবং সেই অনুভব করবার চেষ্টা যদি বিন্দুমাত্রও থাকত তাহলে এই রিফিউজি অধ্যুষিত বাংলাদেশের প্রতি এবং বাংলাদেশের প্রাচীন ইতিহাসের প্রতি লক্ষ্য করে তাঁরা অন্তত এই দৃষ্টি অংশ সম্পূর্ণভাবে বাংলাদেশকে প্রত্যর্পণের কথা বলতেন।

তারপর, গোয়ালপাড়া, হ্রিপুরা ইত্যাদি সম্পর্কে পূর্ববর্তী বক্তারা যা বলেছেন, তা সমর্থন করে আমি দাবী জানাচ্ছি যে, এই অংশকে প্রত্যর্পণ করে বাংলাদেশকে সার্থক হবার সুযোগ দিয়ে সমগ্র ভারতবর্ষের মহিমাকে সার্থক করে তোলা হোক।

[10—10-5 a.m.]

Sj. Charu Chandra Sanyal: Mr. Chairman, Sir, I rise to support the claim put forward by the mover of the resolution with the addition of Goalpara. While doing this I confine my observations to the problem of North Bengal alone, because the other portions have been ably dealt with by many friends; and to be brief I want to be within the compass of North Bengal.

Bengal gave the greatest trouble to the British, and when they left India they gave the greatest punishment to Bengal by dividing and in such a way that West Bengal has been divided into three parcels of land. The northern portion of the Ganga contains two parcels, one a small portion containing Malda and West Dinajpur and the other portion far away to the north containing Darjeeling, Jalpaiguri and Cooch Behar; and if we look at the map what do we see? It looks as if the three districts of North Bengal are fixed to the three spikes of a trident. The stick of the trident is the Kishanganj subdivision, having its base in Malda; and through this stick passes the life line, the road and rail line of the three districts of North Bengal and of Assam; and on one side of this trident is Pakistan, and the other side, I may be excused if I say, contains a parcel of absolute majority of one community, i.e., the Muslims and also this has been pointed out in paragraph 653 of the report. It is said that all the people there are not friendly to India, and that is why Radcliffe took a chance. He snatched away Tentulia thana from the absolutely Hindu majority of Jalpaiguri and included it in Pakistan and thrust it as a wedge in this area to get a chance, if any comes. This point is very important from the administrative point of view and also from the point of safety of the three districts of Darjeeling, Jalpaiguri and Cooch Behar and also of the State of Assam. This point has been overlooked by the States Reorganisation Commission as the report does not contain any discussion on this point. It may be argued that the Government of India may take up the question of defence of this area, but I think the State which is greatly affected by this should be given the chance of protection, because any act of sabotage will at once dislocate the three districts of North Bengal and bring about probably ruin of the districts, if any trouble comes.

[10-5—10-10 a.m.]

The question of corridor as represented in the States Reorganisation Committee cannot come. The question is: assignment of some land to secure continuity, between the lower and upper portions of West Bengal. A corridor is a small part of land; we do not want a corridor. We want some land of proper dimension as a continuity between these lower and

upper portions and this portion should be of such dimension as to allow arrangements for proper protection of the area. And that is why the eastern portion of Mahananda stretching northwards up to the border of Nepal, Darjeeling and Bihar wherefrom Mechi takes its start—the land bounded on the north by the Mechi river, on the west by Mahananda up to the border of Malda, and on the east the Pakistan—this portion of Purnea district of Bihar should be included in all fairness in West Bengal. And this is urgently necessary not only from the administrative point of view but also from the view of proper defence of the area. But the condition imposed under section 653 by the States Reorganisation Commission is practically a proposal for vote of censure on the wisdom of West Bengal Government. The mover of the Resolution, Dr. Roy, has taken it sportingly but I strongly protest against this. The sinister motive of Lord Radcliffe has been indirectly supported by this section and we must take a note of it and on this point alone the Report is very unsatisfactory from the point of view of West Bengal.

The Government of India have sent this Report for opinion but many States have organised hartals, processions, etc.,—a curious way of registering opinion or registering votes. India has been won by the efforts of all the Indians and India is a joint property. It should be taken as that. Geographical areas and boundary lines have been demarcated just to demarcate the States only for administrative purposes. It does not confer any right of land on any State. No State can claim that land belongs to that particular State. It is authorised to do administration only and the real authority is the Government of India. States have been reorganised, boundaries have been demarcated, boundaries have been altered, district boundaries have been altered, States have been created and have been dissolved according to the convenience of administration.

[10-10—10-15 a.m.]

And so we cannot say that one boundary line has created a State for ever. The time has come when another redistribution is necessary and it should be done by the present Government of India. No State has conquered any bit of land and no State can say “Meri Jhansi Mai Nehe Dungi”. No one should say like this at the present moment. This is a time when we should not dilate upon what others said a few years ago and what was the manipulation of census, what language a particular area spoke some 50 years ago, or how the percentage of Bengali-speaking population came down from 54 to 17 per cent., in the course of 10 years. That is relegated to the history. We are faced with a problem today and we must solve it in the present context. We shall quietly register our opinion and send it to the Parliament for their final decision. We should not fight between the States and we should not indulge in mud slinging at the present moment. We must stand on reason and we must put our claim as firmly as possible without hurting any one.

SJkta. Anila Debi:

মাননীয় সভাপতিমহাশয়, আজকে এই এস.আর.সি. রিপোর্ট সম্বন্ধে আলোচনা প্রসঙ্গে আমি প্রথমে এই রিপোর্ট-এর নীতিগত যে ত্রুটি আমার সবচেয়ে বড় বলে মনে হয়েছে সে কথা বলতে চাই। আমরা জানি যে, বাস্তবগত, সামাজিক ও সাংস্কৃতিক জীবনের পরিপূর্ণ সদ্ব্যয়োগ রাষ্ট্র-কাঠামোর মধ্যে প্রত্যেক নাগরিককে দিতে হ'লে এবং রাষ্ট্রের অখণ্ডতা ও ঐক্যের মধ্যে সামাজিক ও সাংস্কৃতিক জীবনযাত্রার বৈচিত্র্যকে স্বীকৃতি দেবার জন্য রাজ্য পুনর্গঠনের মূল

নীতি হওয়া উচিত ভাষাভিত্তিক নীতি এবং এই নীতিরই আবশ্যকীয় লক্ষ্য হিসাবে বিচার হচ্ছে ভৌগোলিক নৈকট্য ও জনমত। কিন্তু রিপোর্ট এ দেখা যাচ্ছে এস,আর,সি, সেই ধ্রুবনীতি ও লক্ষ্য থেকে বিচ্যুত হয়ে পড়েছে। প্রবল পক্ষকে সন্তুষ্ট করা, কোনক্রমে সংঘর্ষকে এড়িয়ে যাওয়া, জোড়াতালি দেওয়া ইত্যাদি সুবিধাবাদ কমিশনের সুপারিশকে প্রভাবান্বিত করেছে।

[10-15—10-20 a.m.]

ফলে যে জটিলতার, যে অস্পষ্টতার এবং বিভিন্ন অঞ্চলের জনসাধারণের মধ্যে ন্যায্যভাবে যে অসন্তোষের স্ফূরণ দেখা দিয়েছে তার আবর্ত থেকে বেরিয়ে আসবার স্বচ্ছ পথ খুঁজে পাওয়া যাচ্ছে না। অবশ্য আমরা দেখছি যে, দক্ষিণ ভারতে ভাষাকে কিছুটা মূল্য দেওয়া হয়েছে বটে কিন্তু এই নীতিকে ভিত্তি হিসাবে অনুসরণ করে না চলবার ফলে মারাঠা জাতির প্রতি নিদারুণ উপেক্ষা দেখানো হয়েছে। মারাঠা জাতি একটা সুসংবদ্ধ অঞ্চলে বাস করে, তাদের ভাষা ও সংস্কৃতির একটা বিরাট ঐতিহ্য আছে কিন্তু তাদের একেবারেই স্বীকৃতি দেওয়া হয় নি। মারাঠা ভাষাভাষী অঞ্চলে বিক্ষুব্ধ জনমতের সামনে কংগ্রেস ওয়ার্কিং কমিটিকে ভাববার জন্য পড়তে হোত না যদি কমিশন ভাষাভিত্তিক নীতি থেকে দ্রষ্ট না হতেন। বোম্বে শহর সংযুক্ত মহারാষ্ট্রের দাবীকে যে-কোন প্রগতিশীল মানুষ অকুণ্ঠ সমর্থন না জানিয়ে পারেন না। ভাষাগত কৃষ্টি ও সামাজিক বৈচিত্র্য রক্ষার দিক থেকে স্বতন্ত্র ত্রিপুরার দাবীও স্বীকৃত হওয়া উচিত। পশ্চিমবাংলার সীমানা নির্ধারণেও ভাষাভিত্তিক সেই ধ্রুবনীতি নিষ্ঠার সঙ্গে পালিত হওয়া উচিত। আর্থিক লাভক্ষতির প্রশ্ন, কোন রাজনৈতিক উত্তেজনা এবং কে কতটুকু টেনেবুনে নিতে পারে এইরকম মনোভাব এক্ষেত্রে থাকা উচিত নয়। এতে তিস্ততাই বাড়তে থাকে—এটা হওয়া উচিত নয়। যে তিস্ততার সৃষ্টি হয়েছে সেই তিস্ততার সুযোগ কি করে কয়েমী স্বার্থসম্পন্ন দুষ্টবৃন্দি লোকেরা নিতে পারে তার পরিচয় আমরা কিছু কিছু বিহারে ও আসামে পেয়েছি গোলমালের মধ্যে দিয়ে। এই আর্থিক লাভক্ষতির প্রসঙ্গে আমি এখানে আর একটু বলতে চাই যে, আমাদের মুখ্যমন্ত্রী তাঁর বক্তৃতা প্রসঙ্গে বলেছেন যে, আমাদের পশ্চিম বাংলার যে ঘাটতি বাজেট তার কিছুটা সুরাহার পথ হচ্ছে সীমানা নির্ধারণে যদি বাংলার কিছু অংশ বৃন্দি পায়, কিন্তু আমি মনে করি সেটা ঠিক নয়। বাজেটের ঘাটতি হয়, তার কারণ মাথাপিছু যে আয় হয় তার চেয়ে মাথাপিছু সরকারকে বেশী ব্যয় করতে হয়। সুতরাং এই যে আর্থিক প্রশ্ন—কোন অঞ্চলকে অন্তর্ভুক্ত করে নিলেই সমাধান হতে পারে না। কোন অঞ্চলকে অন্তর্ভুক্ত করে নিলে সেখানকার লোকেরও নিশ্চয়ই যেমন আয়ের প্রশ্ন আসে তেমন ব্যয়ের প্রশ্নও আসে। সুতরাং এই আর্থিক ক্ষয়ক্ষতির সমাধানের পথ হচ্ছে অন্য পথ। সে পথ এ নয় যে কোন অঞ্চলকে বৃন্দি করে নেওয়া হলেই এই ঘাটতির সুরাহা হয়ে যাবে। সুতরাং আমাদের এখানে দেখতে হবে যে, ভারতীয় ইউনিয়নের অখণ্ডতা ও ঐক্য সমন্বয় রক্ষার গ্যারান্টি হিসাবে নাগরিকগণের ব্যক্তিগত, সামাজিক ও সাংস্কৃতিক বিকাশের পূর্ণ সুযোগ লাভের পরিপোষক নীতি হিসাবে কোন অঞ্চল কার সঙ্গে যুক্ত করে নেওয়া প্রয়োজন। সৈদিক থেকে আমরা মনে করি যে, পশ্চিম বাংলা ও বিহারের সীমানা নির্ধারণ প্রশ্ন ভাষাভিত্তিক ও ভৌগোলিক নৈকট্যের নীতিতে বিবেচনা করা হোক। বাংলা ভাষাভাষী অঞ্চল নির্ধারণে গ্রামকে ইউনিট হিসাবে গ্রহণ করে এই দুই রাজ্যের সীমানা পুনর্গঠন করা হোক। ধলভূম ও বিহারের অন্যান্য সাবডিভিশনের সংখ্যাগরিষ্ঠ বাংলা ভাষাভাষী অঞ্চল যেগুলি পশ্চিম বাংলার সংলগ্ন পশ্চিমবঙ্গে আসতে ইচ্ছুক সেই অঞ্চলগুলিকে পশ্চিম বাংলার অন্তর্ভুক্ত করা হোক। কেবলমাত্র প্রশাসনিক সুবিধা এবং যোগাযোগের সুবিধার বিবেচনাকে বড় করে না ধরে পূর্ণিয়ার জেলার কোন অংশকে পশ্চিম বাংলার অন্তর্ভুক্তির প্রশ্নে সংলগ্নতা ও সমভাষাভাষীর সংখ্যাগরিষ্ঠতা বিচার করে নেওয়া হোক। ধুবড়ী সম্পর্কে মতানৈক্যের যে পথ কমিশন নিয়েছেন সে পথ পরিভাগ করে আসাম ও পশ্চিম বাংলা-সরকার পরস্পর সন্মুখ বৃদ্ধাপড়ার নীতিতে এবং আসাম ও পশ্চিম বাংলার সাধারণ মানুষের সৌহার্দ্যকে বিদ্‌মাত্র ক্ষুণ্ণ না করে মীমাংসার পন্থা গ্রহণ করুন। দার্জিলিংয়ের নেপালী ভাষাভাষীর পক্ষ থেকে পশ্চিম বাংলার রাজ্যের মধ্য থেকে আঞ্চলিক স্বাভাবিকতার যে দাবী উঠেছে ইউনিয়ন-সরকার থেকে সে দাবীকে স্বীকৃতি দেওয়া হোক। রাজনৈতিক সীমানা নির্ধারণের প্রশ্ন যতখানি আমাকে আকৃষ্ট করেছে ততখানি আকৃষ্ট করেছে শিক্ষাজগতে যে অসুবিধার সৃষ্টির প্রশ্ন কমিশনের রিপোর্ট-এর মধ্যে প্রকাশিত হয়েছে তার দিক।

[10-20—10-30 a.m.]

আমরা জানি যে, ভাষাভিত্তিক নীতিতে দেশের সীমানা নির্ধারণ করলে পরেও সমস্ত দেশের সমস্ত অঞ্চলে সংখ্যাগরিষ্ঠ ভাষাভাষী সম্প্রদায় রয়ে যাবে। সেখানে কমিশন বলেছেন যে, সংখ্যাগরিষ্ঠ ভাষাভাষী লোকের জন্যে শিক্ষার সুযোগ দেওয়া হবে মাত্র প্রাথমিক স্তরের পর্যন্ত তাদের মাতৃভাষার মাধ্যমে। সেখানে আমার বক্তব্য হচ্ছে, আমাদের যে রাজ্য পুনর্গঠনের মূলনীতি—কৃষ্টিগত, ভাষাগত নাগরিকতার বিকাশের সুযোগ—সব অঞ্চলের সমানভাবে সকলের জন্য থাকা উচিত। সেজন্য শুধুমাত্র প্রাথমিক স্তরে মাতৃভাষার মাধ্যমে শিক্ষার সুযোগের ব্যবস্থা নয়, সমস্ত শিক্ষার স্তরেই এই সুযোগ দেওয়া কর্তব্য। অবশ্য এখানে প্রশ্ন উঠতে পারে যে, এক অঞ্চলে তার আঞ্চলিক ভাষার মাধ্যমে যে শিক্ষা, যে শিক্ষাপদ্ধতি, পুস্তক রচিত হয়েছে তা বিপন্ন হলে পরে কি করে মীমাংসায় আসা যেতে পারে। সেখানে পরিষ্কার কথা এই যে, রাজ্য বিভাগ যে হচ্ছে প্রত্যেক রাজ্যে সেখানকার আঞ্চলিক ভাষা পরিপূর্ণ হচ্ছে, সেখানে শিক্ষাপদ্ধতি নির্ধারিত হচ্ছে, পাঠ্যপুস্তকাদি রচিত হচ্ছে এবং এখানে যে রাজ্যে সংখ্যাগরিষ্ঠদের জন্য পুস্তক রচনা বা শিক্ষাপদ্ধতি পরিচালনার ক্ষেত্রে যে অসুবিধা দেখা দেবে সেখানে বিনিময় করে অর্থাৎ অন্য রাজ্য থেকে পুস্তকাদি এবং শিক্ষকদের এনে যদি তাদের শিক্ষাব্যবস্থা পরিচালনা করা যায়, তাহলে আমার মনে হয়, আমাদের মধ্যকার সৌহার্দ্য, স্বার্থ, অখণ্ডতা এবং একা সংরক্ষিত হবে এবং সংখ্যাগরিষ্ঠরা যে অঞ্চলে বাস করবেন তারা সেখানে উপলব্ধি করবেন যে তাদের বিকাশের সুযোগ রাজ্য সরকার সর্বদিক থেকে দিচ্ছেন।

আর একটি কথা বলবো। এইসব ভাষাভাষী সংখ্যাগরিষ্ঠদের চাকুরী এবং অন্যান্য অধিকার, সুযোগ ভোগ করবার সমান অধিকার দিতে হবে সে সম্বন্ধে পরিষ্কার ঘোষণা আমাদের এই রাজ্য পুনর্গঠন কমিশনের রিপোর্টের অন্তর্ভুক্ত হওয়া উচিত। একটি জিনিষ আমাদের নজরে পড়েছে যে, কমিশনের রেকমেন্ডেশনও বলা হয়েছে যে, ভারতীয় যে ইউনিভার্সিটি হবে—এই বিভিন্ন রাজ্যে যে ইউনিভার্সিটি হবে সেখানে নিজ ভাষা ছাড়া আর একটি মাত্র ভাষা ফ্যাকাল্টি থাকবে। সেখানে আমার বক্তব্য এই যে, ভারতীয় ইউনিভার্সিটিতে অন্ততঃ চৌদ্দটি ভাষার প্রাধান্য আমরা নিশ্চয়ই দেব এবং সেখানে সৃষ্টি সাংস্কৃতিক জীবনের সমস্ত দিকের সুযোগ সুবিধা থোলা রাখবার জন্য রাজ্য ইউনিভার্সিটিগুলিতে একটি ভাষার ফ্যাকাল্টি নয়, যতগুলি ফ্যাকাল্টি সম্ভব ততগুলি রাখা উচিত। কমিশনের আর একটি সুপারিশে আমার একটু খটকা লেগেছে। কমিশন বলেছেন যে, সর্বভারতীয় ভিত্তিতে আবার সংখ্যা কিছু বাড়িয়ে পদ সৃষ্টি করা হবে অর্থাৎ অল-ইন্ডিয়া সার্ভিসেসএ যেসব পোস্ট আছে তার সংখ্যা বৃদ্ধি করা হবে। সেখানে আমার মনে হয় সংখ্যা বৃদ্ধি করবার আর প্রয়োজনীয়তা নেই। বিশেষজ্ঞদের সহায়তায় যে প্রয়োজন বিভিন্ন রাজ্য তা বিনিময়ের সুযোগ - মারফৎ গ্রহণ করতে পারবেন। আমার মনে হয় অল-ইন্ডিয়া পোস্ট আরও সৃষ্টি হলে সেখানে যারা সুযোগ পাবেন তাদেরই প্রত্যেক রাষ্ট্রের উপর, প্রত্যেক রাজ্যের উপর অধিকার বিস্তারের সুযোগ দেওয়া হবে। সৈনিক থেকে অল-ইন্ডিয়া বেসিসে আরো পোস্ট সৃষ্টি করবার নীতির আমি বিরোধিতা করছি। পশ্চিম বাংলা সরকারের পক্ষ থেকে আপত্তি এক্ষেত্রে যেন করা হয়। তাদের মতামত দেবার সময় এই কথাটি পরিষ্কার করে তুলে ধরবেন যে, ভাষাভিত্তিক নীতি হচ্ছে ধ্রুবনীতি, যাতে দেখা গিয়েছে বিভিন্ন প্রগতিশীল দেশে তাদের সমস্যা সমাধানের পথে সুযোগ সুরাহা করে দিয়ে সমস্ত জাতিকে বিকশিত হয়ে উঠতে যথেষ্ট শক্তি সঞ্চারিত করেছে। সেই ভাষার ভিত্তিতে সমস্ত ভারতীয় ইউনিয়নএর অখণ্ডতা এবং একা বজায় রেখে সমস্ত মানুষের মধ্যে প্রীতি ও বন্ধুত্ব সৃষ্টি করবার, দৃঢ়তর করবার পক্ষে আমাদের সরকার তাঁদের মতামত তুলে ধরবেন। শব্দ ওটুকু চাই, এটুকু চাইনে, এটুকু দেব, ওটুকু দেব না, এই তিক্ততার মধ্যে না গিয়ে বিজ্ঞানসম্মত নীতিতে মানুষের সাথে মানুষের ঘনিষ্ঠতা বাড়ানোর নীতিতে এই সীমানা নির্ধারণের দাবী কমিশনের সামনে উপস্থিত করবেন এবং তাঁরা মতামত দিয়ে বাংলার কৃষ্টিকে বাঁচাবেন এবং ভারত ইউনিয়নএর অন্যান্য প্রদেশের যে কৃষ্টি রয়েছে তাকে বাঁচানোর স্বপক্ষে দৃঢ়ভাবে দাঁড়িয়ে এই সীমানা নির্ধারণের সমস্যা জনপ্রিয় করবার পথে, এগিয়ে নিয়ে যাবার পথে তাদের উপযুক্ততার প্রমাণ দেবেন।

Janab Shaikh Mohammad Jan: Sir, I fail to understand why in discussing the States Reorganisation Commission Report in this House the West Bengal Government should come under fire at the hands of the

opposition. How can they be condemned for the failure of the Commission? My friend Professor Bhattacharyya just said that it was a very critical time for West Bengal, and as such it was the duty of the opposition members to join hands with the Government and to present a united front to the India Government. The West Bengal Cabinet and especially the Chief Minister should be congratulated for the bold stand they have taken in making West Bengal's territorial claim upon Bihar and Assam. In the memorandum presented to the Commission they have very ably put the case of West Bengal not only with vigour and force but with facts and figures. They have fully justified the claim of West Bengal. In the brief history of Bengal given by them in the Memorandum, they have clearly stated how Bengal has been reduced from 1905 onwards, partition after partition has taken place, and the last partition has resulted in disconnected West Bengal which has been reduced to one-third of what it previously was, while the population has tremendously increased by the influx of 45 lakhs of refugees from East Bengal; the economic condition of West Bengal has been disrupted and the Government has to present deficit budget year after year. How long can it last? Therefore, Sir, in the interest of the economic stability of West Bengal and for the linguistic and cultural affinity of the border States, this border must be integrated with West Bengal. Much has been said about the opposition by the Mussalmans of Kishengunj against merging a portion of Kishenganj subdivision with West Bengal.

There was a demonstration by the Muslim population of Kishenganj but I do not know why of all persons the Muslims should be afraid if a small area is integrated with West Bengal. What are they going to lose? It has been clearly stated in the report of the Commission that the culture and Urdu language will be protected by the West Bengal Government. I think that some interested parties have circulated some stories about conditions in which Muslims are living in Bengal. But Muslims are living in West Bengal peacefully; their position is secure. After the 1950 holocaust there has been no communal disturbance in any part of West Bengal as far as I remember, but in Bihar even after 1950 there were several communal disturbances. Therefore, I cannot understand why the Muslim population should be afraid of their territory being integrated with West Bengal. They are not going to lose anything.

[10-30—10-40 a.m.]

Rather they will be benefited and they will find that the Muslims here are their real friends. It will be also better for the Muslim Community of West Bengal as their number will be increased and they will be in a better position to put forward their grievances to the Government of West Bengal more vigorously. Sir, in my humble opinion not only Purulia Sadar subdivision but also other parts of Manbhum district, Dhalbhum subdivision of Singhbhum district, Jamtara, Dumka and Deoghar in the district of Santal Parganas and the Bengali-speaking areas of Purnea district should be transferred to West Bengal. Not only for financial stability but from the strategic point of view West Bengal as a border State should be made stronger. Besides discontented Bengali-speaking people of the border would be a constant source of worry to Bihar. It is regrettable that the States Reorganisation Commission has shown over-anxiety for Bihar by refusing to recognise West Bengal's claim over Bihar. The language test which has been applied in the South has not been applied in the North particularly in West Bengal.

With these words Sir, I support the resolution moved by the Hon'ble Chief Minister.

9j. Kamini Kumar Chose: Mr. Chairman, Sir, in the States Reorganisation Commission Report recommendations have been made for reorganising the different States of India keeping in view the solidarity of the country. Here I shall discuss only about the recommendations regarding West Bengal. At the very outset I must say that so far as this issue is concerned, we are all one. There is no question of this party or that party, the Congress side, I mean Government side or Opposition side. Here we must put forth a united front and our claim should be one so that when it goes before the Central Government they will feel that the Bengalees are one and that their demand is one. If we fail here, we shall be held responsible to posterity. Now, what is the reason why the States Reorganisation Commission was appointed? We demanded that the main principle that should be followed in this connection was linguistic basis and this principle was accepted by the Congress since 1905. If we go through the pages from 12 to 17 of the Report we find the truth of the statement. We find, that the Indian National Congress lent indirect support to the linguistic principle as early as 1905 when it backed the demand for allowing the partition of Bengal which had resulted in the division of the Bengali-speaking people into two units and so on and so forth. I need not repeat those things. Now, this linguistic principle has been adopted by the States Reorganisation Commission so far as Southern India is concerned. We find that the States like Kerala, Karnataka, etc., have been recommended simply on the linguistic basis. But so far as West Bengal is concerned, we find a different note. What are the recommendations we find in the States Reorganisation Commission? We find in page 177: "Only the portion of Kisanganj subdivision which is to the east of the river Mahananda and a portion of the Gopalpur Revenue Thana contiguous to the territory", etc. That is the only thing that has been recommended to be included in West Bengal. Unfortunately we find that the States Reorganisation Commission Report is very very wanting in this respect. Evidently a small slice of land has been given to West Bengal though the Commission in various places have admitted our claim for inclusion of a larger area. What is the demand of West Bengal? We in West Bengal have got demands for the following places. These places are artificially separated from West Bengal for various reasons known to us all. On the Bihar side we want first of all Manbhum district, whole of it, the Dhalbhum subdivision, the Santal Parganas, such as Dumka, Deoghar, Pakur, Rajmahal subdivision and eastern half of Purnea district, and so far as Assam is concerned, we want Goalpara district, Cachar and also the State of Tripura and the hilly tracts as a connecting link. If we look to the census reports of 1931 and 1951 we find so far as Goalpara is concerned, in 1931 the Assamese-speaking population was 19 per cent., and Bengali-speaking 54 per cent. In 1951 the Assamese-speaking was 62 per cent., Bengali-speaking 17 per cent. It is curious how this could be possible. Then again in Tripura, there is not a single Assamese-speaking people, whereas over 60 per cent. of the people are Bengali-speaking. So far as Cachar is concerned there are only 3,462 Assamese-speaking people whereas 860,772 are Bengali-speaking people. So far as Santals are concerned they have got Bengali as a second language and not Hindi and we know that many Santals live in the districts of Malda, Birbhum, Murshidabad, etc. And if these portions of Santal Parganas be transferred to West Bengal, 95 per cent. of the Santals would be included in West Bengal, and that would be very advantageous for the administration. The Commission states in page 172 that the northern districts of Presidency Division have become less easily accessible from Calcutta and West Bengal is now the only State which is geographically not a compact and integrated unit. If this be the considered opinion of the Commission, West Bengal should have been allowed larger tracts of land. The Commis-

sion consisting as it did of eminent persons of India was expected to be impartial, not to be cowed down by threats. But what do we find in the Report? We find the Commission while dealing with problems of West Bengal states in the 1st paragraph on page 172:

“As the incidents in Goalpara and the emotional upheaval that followed the appointment of this Commission in some of the areas have indicated, the readjustment of West Bengal's borders has now become a major problem.”

Now, why the Commission is indifferent to West Bengal? We the Bengalees have all along shown restraint. From the leaders down to the common man, everybody has been found to put forth arguments claiming tracts of land from Bihar and Assam but nowhere has there been any incident of the Goalpara type. Why the Commission is indifferent to West Bengal one is tempted to ask. Is it because they are afraid of the militant attitude of the Biharis and the Assamese people? Prominent Congressmen have openly incited people to violence, have threatened that direct action would be taken if their demand is not conceded. On page 173 we find that the Commission states:

“This development, it is claimed, will be helped by the transfer to West Bengal of a portion of the Santhal Parganas and the whole of Manbhum.” There is much truth and force in the argument put forward by the Congress and the Government. It would be better if the Congress and the Government could put forward the identical claim. That would silence the criticism of a group and strengthen our claim.

[10-40—10-45 a.m.]

My friend Professor Bhattacharyya tried to prove the claim of West Bengal on the basis of records put forward by the Congress also at the time of placing their demands that West Bengal is entitled to the portions of Bihar claimed by the Congress here.

As regards claims of West Bengal on Assam, the Commission states in page 180, “It is true that the latest census figures show, as compared to the figures of 1931, very striking variations which cannot be satisfactorily explained”. I have already given you the figures and showed how there is a discrepancy here and this shows that there has been manipulation of figures by interested persons. While the Commission feels like that the conclusion is drawn on an argument that is evidently puerile.

I would not lengthen my speech. I would again reiterate my demand for the inclusion of the portions already stated.

Sj. Satya Priya Roy: Mr. Chairman, Sir, in deference to the wishes of the Chairman, at the beginning of my speech I shall put very succinctly and briefly my opinion about the recommendation of the States Reorganisation Commission.

I am definitely of opinion that reorganisation of States should be effected on linguistic basis and that all contiguous areas having predominantly one common language should be welded together into one State. I view with disapproval the attempt made by the States Reorganisation Commission to bring in other extraneous considerations while recommending reorganisation of States.

I am definitely of opinion that the Dhubri subdivision of the Goalpara district in Assam should, as a preponderatingly Bengali-speaking area, merge in West Bengal.

I am also of the opinion that on the same ground of linguistic preponderance the entire Manbhum district and part of the Singhbhum district with a majority of Bengali-speaking people should merge in West Bengal and that a high power non-official committee should be set up to determine which of the areas in the Singhbhum district have a majority of Bengali-speaking people.

I am further of opinion that border areas with a composite population should be declared as bi-lingual or multi-lingual areas, as the cases may be, and that a committee in each such area be set up immediately with representatives of different States the languages of which are spoken of by considerable sections of the population of the border area concerned with a view to determining how best the interest of all the different linguistic groups in the border area may be safeguarded.

I am further of opinion that in view of the difference in the sizes and the financial resources of the different States, the relation between the Centre and the States in matters regarding finance should be readjusted with a view to extending to every citizen, irrespective of the State he may belong to, equal opportunities for growth, material and cultural.

I am further of opinion that the Constitution of India should be suitably amended to give equal representation on the Rajya Sabha to each of the States irrespective of its size or population.

That is in brief my opinion of the S.R.C. Report. Really speaking, it is the demand for linguistic provinces that gave birth an impetus to the struggle for Indian liberation. The artificial vivisection of Bengal gave rise to the Swadeshi movement and since then the liberation movement and the movement for linguistic provinces have been going on side by side strengthening each other.

[10-45—10-50 a.m.]

Since 1920 at its session at Nagpur till its very accession to power, the Congress has all through been reiterating its faith in the redistribution of States on the linguistic basis.

To condemn the entire S.R.C. Report as a reactionary document is, to my mind, not a correct appraisal of the merit of the report. The report has been progressive and beneficial in parts where the Commission has stuck steadfastly and loyally to the linguistic principle. The creation of Karnatak, of Kerala and of Madhya Pradesh excluding the Maharastrian part of the State are instances to the point. But wherever it has deviated from this fundamental principle, it has erred and blundered and it has shown unmistakable signs of opportunism, expediency, vacillation, contradiction and apparent inconsistencies and has thereby invited a chorus of condemnation. The case of Maharashtra has been the most glaring example to the point. The Maharastrians are a virile race of noblest tradition living in a compact area and having a language yielding to no Indian languages in its richness. The creation of Samyukta Maharashtra from the linguistic point of view was an obvious solution that must have suggested itself to the Commission. But the Commission could not take the straight decision as in supersession of the linguistic principle it thought of Bombay and its multi-millionaires. This lapse on the part of the Commission—this aberration I may say—has led to a great disaster that has entailed loss of so many precious lives and so much of bitterness. The hesitation to set up Vishal Andhra would have led to the same trouble, if, fortunately for us, the question could not have been solved so peacefully and so quickly.

Similar blunders have been committed by the States Reorganisation Commission in drawing the boundaries between Madras and Andhra, between Andhra and Karnatak, between Karnatak and Kerala and Maharashtra and these will be the sources of future trouble for India. But the greatest blunder in this respect has been made by the States Reorganisation Commission in redrawing the boundaries of Bihar, Orissa, Assam and West Bengal. Extraneous considerations, considerations other than linguistic homogeneity, have been dragged in to make confusion worse confounded. As a result, inconsistency and contradiction, vacillation and opportunism characterise this part of the report of the States Reorganisation Commission.

Unfortunately, however, the West Bengal Government have also played into the same trap. The corridor and the Lebensraum or breathing space theories that remind us of the terrible Hitlerite logic, financial difficulties and planning exigencies have all been bolstered up as arguments in favour of annexation of territories. As a result we notice the same weak-kneed compromise, the same faltering half-heartedness in the West Bengal Government's claim for territories beyond the borders of West Bengal. The area claimed dwindles year by year, the Congress and the Congress Government speak in two voices and the legitimate claim of West Bengal goes by default.

I understand Professor K. P. Chattopadhyay claims the entire Kishanganj subdivision on linguistic basis. Because of my lack of knowledge as to the language spoken by the people there, I cannot outright agree with him. But I say that if Kishanganj subdivision or say even the whole of the Purnea district be predominantly Bengali-speaking, by all means, it must come over to Bengal. The state of things there may be ascertained. But I do not understand the claim of the Bengal Government for a few yards of land east of the Mahananda and the Mechi rivers. This would mean a very long frontier that will have to be defended by police force without any West Bengal territory to support it. It would be embarrassing to both Bihar and West Bengal to guard against frontier incidents and Bihar will have to maintain all along the line a second line of defence.

[10-50—10-55 a.m.]

It is a pity that the West Bengal Government do not take here a clear and correct stand on linguistic basis. It is a greater pity that the West Bengal Government by admitting that it would not rehabilitate any refugees there in that area has perhaps humiliated and insulted the refugees. Who are these refugees? These refugees are certainly those who have sacrificed their life blood for the liberation of our country. They are not communal people, and we are definite that if conditions had permitted the rehabilitation of refugees even in that Kishanganj area that would not have led to any communal feeling. It is really a sort of an insult to West Bengal, a sort of an insult to the entire refugee element that has come over to West Bengal to admit that they would not be rehabilitated in that area. It is a pity that the West Bengal Government have not taken a clear and correct stand on linguistic basis. This is true of the West Bengal Government's demand of areas in Manbhum and Singbhum. The predominantly Bengali-speaking areas of these districts must merge in West Bengal to the interest of both Bihar and West Bengal, no matter whether they be industrial, mineral or agricultural areas. To demand Manbhum without Dhanbad or Dhalbhum without Jamshedpur on reasons other than linguistic consideration is sheer compromise between loyalty to the State and that to the party. It is unfair and dishonest. All predominantly Bengali-speaking areas contiguous to West Bengal should form part of the State. Manbhum is such an area, and the whole of the district should come over to West Bengal.

As for Dhalbhum let it be ascertained as to which of the areas are predominantly Bengali-speaking. Dr. Srikrishna Sinha has spoken of plebiscite. We should in all honesty accept his challenge and let the people of Singbhum district choose the State they would like to belong to.

The West Bengal Government have made no claim on the Dhubri subdivision of Goalpara. The S.R.C. report, to my mind, has done the greatest injustice to Assam by flouting the linguistic principles in readjusting the boundaries of the State. It has made Assam, a State of vast area with undeveloped communications into a babel of tongues seriously vulnerable at the eastern portion of India. It has added to the problem of the State by recommending Tripura's incorporation with it. Tripura should remain a separate State, as it is, and if possible, Cachar should be added to it, provided the citizens of the two areas so agree. The Dhubri subdivision should be transferred to West Bengal. This will relieve Assam of a part of the linguistic minorities that are so plentiful as black berries in that State.

That is about the linguistic principles that I have spoken at the outset. I would particularly like to say something about financial viability. That is a new bogey that has been raised by the S.R.C.; and I am sorry to notice that even the West Bengal Government have insisted on this ground of financial viability or financial difficulty the inclusion of this or that area. But truly speaking my straight question is: Is any of the States in India financially viable, independent of other States? Is not the financial responsibility mainly the responsibility of the whole of India, the responsibility of the Centre? It is not correct that the inclusion of Singbhum or Manbhum or inclusion of Purnea in West Bengal will improve her financial position in any way. There is deficit in the budget. The deficit clearly shows that the money that Government gets from each of the citizens in West Bengal is exceeded by what they spend for the population. If that be so, the greater the area the larger the number of people and the greater the deficit, and so this inclusion of this or that particular area in West Bengal will not solve the problem of chronic deficit. The problem of chronic deficit is another question.

[10-55—11 a.m.]

We have discussed this matter during Budget session. We have said that West Bengal has been following persistently in spite of our opposition a very extravagant and wasteful policy regarding this matter. But that is another thing and I am not going to enter into that question at this stage. I say that this question of economic viability is a double-edged sword that can be used both ways. It is not only on this ground of financial viability that S.R.C. has refused to transfer Dhanbad or Jamshedpur to Bengal. So that question is absolutely irrelevant while we will discuss the question of reorganisation of States and redrawing of the boundaries of different States.

The other point that I want to place is that even when the boundaries are redrawn on linguistic basis there will be left a border area in between the two States and that border area will always contain a composite population—a population speaking different languages. To see that in future there may not be any bitterness over the question of reorganisation of States we must very carefully look into this matter that all people living in this composite border areas get equal opportunities for growth, for education, for services without in any way being handicapped for the language they speak or the race they may belong to. That is why I said that these border areas should immediately be declared as bi-lingual and multi-lingual areas,

as the case may be, and that a Committee in each such area should be set up immediately with representatives of the States concerned to determine how best the interests of those linguistic groups living in those particular border areas may be safeguarded.

My next point is about the relation between the Centre and the State regarding financial matters. If this point be taken up for immediate revision and readjustment, I think the question of financial viability of a particular State does not and cannot at all arise. Really there should be a reasonable readjustment regarding financial matters between the States and the Centre, so that each citizen of India irrespective of the State he may belong to may have equal opportunities for growth, material and cultural.

Last of all I suggest that the Rajya Sabha should be reconstituted and equal representation should be given to each of the States on the Rajya Sabha, so that whenever a controversial question arises, people living in big States may not take a decision and may not impose it on other States, weak or small. The interests of each and every Indian State, different in size and different in resources, must be safeguarded very carefully, and the biggest and the most orthodox safeguard in this respect is to guarantee equal representation of each of the States on the Rajya Sabha.

With these recommendations I conclude my speech.

[11—11-10 a.m.]

Dr. Pratap Chandra Guha Ray:

পরম শ্রদ্ধেয় সভাপতি মহাশয়, একজন সাধারণ কংগ্রেসসেবী হিসাবে আমি আমার এটা কন্তব্য বলে মনে করছি যে কংগ্রেসের নায়করা আগাগোড়া যে প্রতিশ্রুতি দিয়েছিলেন সেটা স্মরণ করিয়ে দেওয়া উচিত। আমি সাধারণতঃ কোন কথা এখানে বলি না; কিন্তু এই যে একটা বিরাট অবিচার বাংলার উপর দিয়ে যাচ্ছে তার পূর্ণ প্রতিবাদ আমার কণ্ঠে উচ্চারিত হওয়া উচিত বলে আমি মনে করি। সেইজন্য আমি আপনার মাধ্যমে দু'চার কথা বলতে চাই। বাংলার ইতিহাস আমি পুনরাবলোচনা করতে চাই না। তবুও ইতিহাসের প্রথমদিক থেকে দু'চার কথা আমি এইভাবে বলতে চাই যে বাংলা নীরবে নিষ্প্রবাদের কোন অবিচারকে মেনে নেয় নি। ১৯০৫ সালে যখন নিদ্রিত বাংলার বুকে কালজনের খণ্ড নেমে এল, যখন বাংলার বুকে আঘাত এলো, বাংলা যে তীব্র ভাষায় তার প্রতিবাদ করেছিলো তাতে সমগ্র পৃথিবী কেঁপে উঠেছিল। শৃঙ্খল ভারতবর্ষের জাগরণ নয়, সেটেন্ড ফ্যাক্টকে আনসেটেন্ড করতে হয়েছিল ইংরেজকে ১৯১১ সালে। লর্ড মর্লি বলেছিল যে পার্টিশন ইজ এ সেটেন্ড ফ্যাক্ট, কিন্তু বাংলার আন্দোলনে, বাঙ্গালীর প্রচেষ্টায়, বাঙ্গালীর আক্রমণের ফলে সেদিনের বাংলার উপর যে আঘাত তা শিথিল হয়ে গিয়েছিল। ১৯১১ সালে সে সেটেন্ড ফ্যাক্ট আনসেটেন্ড হলো। কিন্তু ইংরেজ সে অপমান ভুলল না। ইংরেজ দেখলো যে এই বাংলার বুকের ধূমায়িত বহিঃ একদিন তাদের স্বর্ননাশের আগুন জ্বালিয়ে দেবে। কাজেই বাংলার শক্তিকে তারা খর্ব করার জন্যই ১৯১২ সালে বিহার, উড়িষ্যাকে বাংলা থেকে আলাদা করে দিলো। ১৯০৫ সালের পার্টিশনের সঙ্গে সঙ্গে যখন আন্দোলন উঠল এবং পার্টিশন বন্ধ হয়ে গেল, তখন আসামকে তারা আলাদা করে দিল চীফ কমিশনারস প্রভিন্স বলে। আর ১৯১২ সালে বিহার, উড়িষ্যাকে আলাদা করে দিয়ে, হাত-পা কেটে দিয়ে খালি কাণ্ডটি রেখে দিয়ে গেল। এইভাবে বিহার ও উড়িষ্যা যখন কেটে দিলো তখন সেখানেও যে বাঙ্গালী প্রতিবাদ করে নি তা নয়, যারা আজকে বলে যে বাঙ্গালী প্রতিবাদ করে নি তাদের বলি যে সেটা মিথ্যা কথা। সেই অতীত ইতিহাস যদি অল-ইন্ডিয়া কংগ্রেসের খাতা খুলে দেখেন তাহলে দেখবেন যে বাংলার নেতাদের সাথে বিহারের মাননীয় সচিদানন্দ সিংহ থেকে আরম্ভ করে দীপনারায়ণ সিংহ প্রভৃতি সমস্ত বিহারের নেতাদের বক্তৃতায় বাংলা থেকে যে লিনগুইস্টিক পোরসান কেটে দিয়েছে সেটা ভাষা হিসাবে তাদের ফিরিয়ে দেওয়া উচিত বলে মত কণ্ঠে স্বীকার করেছেন। ১৯২১ সালে কংগ্রেসের রেজলিউশন পাশ হয়েছে যে

রি-এ্যাডজাস্টমেন্ট অন লিনগুইস্টিক বেসিস সমস্ত প্রদেশে করতে হবে। আজকে স্বাধীনতা এল, সেই স্বাধীনতার আন্দোলনে বাঙ্গালীর অবদান—স্বাধীনতা আন্দোলনের স্রষ্টা বাঙ্গালী এটা কেবল সমস্ত ভারতে নয় সমগ্র পৃথিবীতে স্বীকৃত এবং তা ইংরেজও স্বীকার করেছে। তাই ইংরাজ সমস্তভাবে আঘাত করে বাঙ্গালীকে যত ছোট করবার চেষ্টা করেছে, ততই বাঙ্গালীর আন্দোলন ভীষণভাবে জেগে উঠেছে। যেদিন বিহারকে তারা কেটে নিয়ে গেল সেদিন তার হাত-পা কুটা হয়ে গেলো তার মাথা সেই খণ্ডিত বাংলা সৈন্য তার সেই আন্দোলনকে মন্দ গতি হতে দেয় নি। তার নিজের বৃকের পজিরে আগুন জ্বালিয়ে দিয়ে সমগ্র ভারত-মাতার বৃকে স্বাধীনতার আগুন প্রদীপ্ত করে তুলেছিল। বাংলার সেই আগুনের আলোকে ভারতবর্ষের স্বাধীনতা এসেছে। স্বাধীনতা পাওয়ার সঙ্গে সঙ্গে ইংরেজের ভেগে দেওয়া বাংলা তুলেছিল তার দুঃখ। কিন্তু আজ হাত-পা কাটা বাংলার কণ্ডের উপরেও আঘাত হানা হলো। ভারতের স্বাধীনতা লাভের জন্য হাত-পা কাটা বাংলাকে কেটে দুখানা করা হ'ল। ২।৩ অংশ পূর্ব-বাংলায় দিয়ে মাত্র ১।৩ অংশ পশ্চিম-বাংলায় পড়েছে। স্বাধীনতা আন্দোলনের পুরোভাগে গিয়ে যারা ফাঁসি কাটে জীবনের জয়গান গেয়ে গিয়েছিল, যারা নিজের মৃত্যু বা-হাতে নিয়ে ডান-হাতে রিডলভার ধরে স্বাধীনতার আন্দোলনকে সার্থক করে তুলেছিল সেই বাঙ্গালীর বৃকে আঘাত হেনে বাংলাকে স্মিখাণ্ডিত করে দিয়ে ইংরেজ চলে গিয়েছে। পূর্ব-বাংলার আজ প্রায় ১ কোটি ৩০ লক্ষ লোকের মধ্যে ৩৭ লক্ষ লোক অনাহারক্লান্ত, আজ তারা উন্মত্ত ভিখারী হিসাবে ভারতের দুয়ারে এসে হাজির হয়েছে। পশ্চিম বাংলার যা আয়তন যা রোভিনউ তা দিয়ে এই বিরাট সমস্যার সমাধান করা অসম্ভব এবং যদি এই রকম অবস্থা ক্রমশঃ বেড়ে যায় তাহলে পশ্চিম বাংলার মৃত্যু অনিবার্য। পশ্চিম বাংলার ইকনমিক ফাউন্ডেশন চূড়ম্বর হয়ে যাবার যোগাড় হয়েছে। প্রতি বৎসর তার ৮ কোটি থেকে ১০ কোটি টাকার ডেফিসিট বাজেট নিয়ে আসতে হয়। এই অবস্থায় পশ্চিম বাংলা চাইছে যে বাঙ্গালীকে থাকবার জায়গা দিতে হবে। বাঙ্গালীর থাকবার ব্যবস্থা হচ্ছে হায়দ্রাবাদে, বাঙ্গালোরে, উত্তর প্রদেশের নৈনিতালে, ব্যবস্থা হচ্ছে আন্দামানে। কিন্তু যেখানে বাঙ্গালী থাকতে পারে অর্থাৎ বাংলার সৃষ্ট যে জায়গা যেখানে বাংলায় কথা বলে সে জায়গা ছেড়ে দিলে বিহারের ইকনমিক ফাউন্ডেশন নড়ে যাবে। যার ইকনমিক ফাউন্ডেশন চূড়ম্বর হয়ে গেছে তাকে বাঁচাবার চেষ্টা না করে যার ইকনমিক ফাউন্ডেশনএ সারপ্লাস বাজেট আছে তাকে বাঁচাবার জন্য যে আয়োজন তা অভিনব। আজ ৫২টা জেলা নিয়ে যে উত্তর প্রদেশ তার গায়ে হাত দেবার সাহস হয় নি কারও। সেখান থেকে ৪টা জেলা কেটে নিয়ে বিহারকে দিয়ে বিহারের ২টা জেলা যদি বাংলাকে দেওয়া হত তাহলে কি দোষ হত কোন ইকনমিক ফাউন্ডেশন নষ্ট হয়ে যেত তা আমি বুঝতে পারছি না। আজকে হিন্দী প্রতিভা সৃষ্টি করার জন্য মহারাষ্ট্রকে সরিয়ে দিয়ে যেখানে যেখানে হিন্দী প্রতিভা আছে সেগুলোকে একত্র করে একটা বিরাট প্রদেশে পরিণত করার চেষ্টা হচ্ছে। সেই যে রিপোর্ট সেটা সমালোচনা করতে যে ভাষা যে তীব্রতা আমার ভিতরে আছে তা আমি প্রকাশ করতে গেলে অন্যায় হবে বলে আমি মনে করি। অথচ এই অন্যায়কে মেনে নেওয়াও অপরাধ বলে মনে করছি। সীমানা কমিশন আসার সময়ে লাঠি-সোটা প্রভৃতি দিয়ে বিহার যে মধ্যযুগের নৃন অসভ্যতার আয়োজন করেছিল—মনুষ্যের শিক্ষাদাতা বাঙ্গালী সীমানা কমিশনকে সেভাবে অভিযন্ত্রণ করার ব্যবস্থা করতে পারে নি। কারণ বাঙ্গালীর “কালচার” তা বর্ধা দেয়। বাঙ্গালীর “কালচার” এই এগ্রিকালচারাল ডেমনস্ট্রেশনের সঙ্গে পাল্লা দিতে পারে নি। আমি কিন্তু তখন দেখেছি যে এস, আর, সি রিপোর্ট এর যারা কর্তা তাঁরা সেই এগ্রিকালচারাল ডেমনস্ট্রেশন দেখে বেশী মুগ্ধ হয়েছেন। তাঁরা এখানকার কালচারাল ডেমনস্ট্রেশন হয় ত ভাল করে বুঝতে পারেন নি। আমার দুঃখ সেখানে যে বাংলার প্রতি আবিচার করবার সময় তাঁদের কোনরকম আগ্রহমেন্ট হয় নি। আগ্রহমেন্ট হয়েছে শুধু বিহারের ইকনমিক ফাউন্ডেশন ভেগে যাবে বলে। আজ বিহারের মানভূম দেওয়া যায় না। কিন্তু মানভূম তৈরী করেছে কে? মানভূমের কোলিয়ারী আজও পৃথিবীর বৃকে বেগল কোলিয়ারী বলে পরিচিত। সেই কোলিয়ারীর মালিকদের শতকরা ৯০টি বোধ হয় এখনও বাঙ্গালী। কুলি কিছু আছে এবং তারা বিহারী হতে পারে। কিন্তু বাংলার টাকায় যেটা

ডেভেলপ হয়েছে, যেখানে বাংলার ইন্ডাস্ট্রী গড়ে উঠেছে এবং তার সুবিধা বাংলা নেবে এবং তাতে ইকনমিক ফাউন্ডেশন বিহারের নষ্ট হলে উপায় কি? যেখানে বাংলার ৮ কোটি ১০ কোটি টাকা ডেফিসিট, সেখানে বাংলা যদি তার টাকায় গড়া ইন্ডাস্ট্রীর সুবিধা নেয় তাহলে তাতে বিহারের অসুবিধা হবে বলে ভাবনা করলে চলেবে কেন? বাংলার ইন্ডাস্ট্রীকে বুক থেকে ছিনিয়ে নিয়ে আজ বিহারকে বাঁচাবার চেষ্টা হচ্ছে। সাঁওতাল পরগণা তৈরী করেছে কে? কে তার জঙ্গল কেটে সহর তৈরী করেছে? কারা শিমুলতলাকে পৃথিবীর চোখের সামনে ধরে দিয়েছে? কারা সেখানকার লাইব্রেরী, সেখানকার বাড়ীঘর তৈরী করেছে, কে তৈরী করেছে দেওঘর? ক-খানা বাড়ী দেওঘরবাসীর, ক-খানা বাড়ী বাঙ্গালীর? ক-খানা বাড়ী মধুপুরে বাঙ্গালীর ছাড়া বিহারবাসীর আছে? ক-খানা বাড়ী জামতারা, মিহিজামে, কামাটারে তাদের আছে? কি পরিমাণ টাকা সেখানে তাদের ইনভেস্ট করা আছে? বাঙ্গালীই সেটা করোঁছিল কারণ তারা জানতো যে এটা বাংলার। সৈদনের বাঙ্গালী এটাকে বাংলা বলে জানতো বলেই তারা করোঁছিল। আজকে থেকে যদি তান্ত্রিক যুগে চলে যাওয়া যায় তাহলে দেখতে পাবেন তান্ত্রিকদের ৫১টি পিঠস্থানের মধ্যে ৩৯টি বাংলার এবং তার মধ্যে দেবীর হৃদপিণ্ড পড়েছে দেওঘরে। তান্ত্রিক সাধনা যেখান থেকে প্রচারিত হ'ত অর্থাৎ হৃদপিণ্ড মানে পামপিং স্টেশন, যেখান থেকে তারা বহিঃবাংলার তান্ত্রিক সাধনার কাজ চালাতো। এইটাই হচ্ছে মেন স্টেশন অফ তান্ত্রিক সাধনা। বাঙ্গালী তান্ত্রিক সাধক, দেওঘরকে তৈরী করোঁছিল পামপিং স্টেশনরূপে। আজকে ১৯৪৭ সালের পর এখনও যদি দেওঘরে যান তাহলে পাণ্ডারা যে বড় বড় খাতা নিয়ে আসে তাতেও দেখবেন বাড়ী কোথায়, ঘর কোথায়, তা সব বাংলায় লেখা আছে। ১৯৪৭ সালের পর থেকে কর্তারা হুকুম দিয়েছেন যে সব হিন্দিতে বদলাতে হবে এবং তার জন্যে গভর্ণমেন্ট টাকা দেবেন। কোন পাণ্ডা এখনও খাঁটি হিন্দি জানে কিনা তা আমি জিজ্ঞাসা করতে চাই। তাদের হিন্দি জিজ্ঞাসা করুন তারা "প্রাণের" জায়গায় "জান" ঢুকিয়েছে, এ ছাড়া আর কিছুই নয়—সবটাই বাংলা আছে। এই রকম করেই তারা বাংলা থেকে হিন্দি করছে। কাজেই আজকে এই কথা জিজ্ঞাসা করবার সময় এসেছে যে বাংলা তার সাঁওতাল পরগণা ফিরে পাবে না কেন? যে সাঁওতাল পরগণার বাঘ তাড়িয়ে বাঙ্গালী জঙ্গল কেটে হেলথ সেন্টার করেছে, বাংলা তা ফিরে পাবে না তার কারণ কি তা জানবার অধিকার বোধহয় বাঙ্গালীর আছে।

[11-10—11-20 a.m.]

বাঙ্গালী কেন সেটা ফিরে পাবে না। বাঙ্গালী রিফিউজীদের বসবাসের জন্য কেন হায়দ্রাবাদে যেতে হবে? এই অন্যায় ব্যবস্থা, জুলুমের শেষ হওয়া দরকার। আমি বিশ্বাস করি এই জুলুমের বিরুদ্ধে তীব্র প্রতিবাদ হওয়া দরকার, প্রয়োজন হলে সমস্ত দেশব্যাপী আন্দোলন হওয়া দরকার। আমি জিজ্ঞাসা করতে চাই ধলভূমের যে সমস্ত মন্দির, এবং সমস্ত গ্রামে গ্রামে যে গ্রাম্যদেবতার পূজা হয়, সেখানে কাদের কালচার পরিস্ফুট হয়? অনুসন্ধান করুন সমস্তই সেখানে বাঙ্গালীর কালচার, গাছের তলায় পর্যন্ত এই বেঙ্গলী কালচারের নিদর্শন রয়েছে। কিন্তু সে ধলভূম বাঙ্গালী পাবে না। জামসেদপুর ইন্ডাস্ট্রিয়াল টাউন, সেখানে অন্যান্য দেশের লোক আছে অতএব জামসেদপুর আসতে পারবে না। চমৎকার যুক্তি। তাহলে কলকাতায় বহু বাইরের লোক আছে সুতরাং কলকাতাকে বাঙ্গালীর হাত থেকে ছিনিয়ে নিয়ে দিল্লী নিয়ে যাওয়া হোক। হ্যাঁ, এর পরের আগ্রুমেণ্ট ঠিক এই আসবে—

Calcutta will be a separate State

আমি তাই বলছি, চেয়ারম্যানের থ্রু দিয়ে আপনাদের অনরোধ করছি আপনারা এ্যাজ রিপ্রেজেন্টেটিভস সিরিয়াসলি চিন্তা করে দেখুন আজ বাঙ্গালীকে বাঁচতে হলে তাকে নিজের শক্তি দিয়েই বাঁচতে হবে। পূর্নিয়ার কিষণগঞ্জ সার্বভিভিসন পরিপূর্ণ বাংলার মধ্যেই ছিল, ১৯১২ সালে বিহারে গিয়েছে। কতকটা ছিল মালদহের মধ্যে আর কতকটা ছিল দিনাজপুরের মধ্যে। যখন কিষণগঞ্জ সার্বভিভিসন সৃষ্টি হলো তখন পূর্নিয়ার সঙ্গে জুড়ে দেওয়া হলো। আজকে সেখান থেকে একটা করিডর—একটা রাস্তা পর্যন্ত দিতে বিহারীরা চান না। অশুভ অনগ্রহ কমিশন আমাদের জন্য করেছেন। আজ সমস্ত বাঙ্গালীকে স্থিরভাবে চিন্তা করতে হবে। আমি বিশ্বাস করি পশ্চিমবঙ্গ সরকার যে দাবী করেছেন তা পরিপূর্ণ

নয় সমগ্র সাঁওতাল পরগণা আমাদের জন্য ছেড়ে দিতে হবে এই আমার মত। সমস্ত মানভূম আমাদের পাওয়া উচিত, ধানবাদ কেন বাদ দেব? সমস্ত ছোটনাগপুর, সিংভূম সহ ছেড়ে দিতে হবে। এখন নাকি স্লেবিসাইটের কথা উঠেছে। আমরা কোলিমারীর প্রোপ্রাইটর, আর সেখানে কুলী সব বিহারী, সুতরাং আমি একজন প্রোপ্রাইটর হিসাবে একটি ভোটের অধিকারী, আর আমার ৪০০ কুলীর হবে ৪০০ ভোট, সুতরাং তাদের দাবীতে আমার প্রোপ্রাইটরশিপ ছেড়ে দিতে হবে। আমি বলি, হ্যাঁ, ভোট হোক কিন্তু সেটা ইন্টারেস্টএ ইন্টারেস্টএ ভোট দিক। তাহলে বদ্বা যাবে কার স্বার্থ কতখানি সেখানে জড়িত। আজকে এটা আমার প্রাদেশিকতার কথা নয়, এটা বাঁচবার কথা, লিঙ্গুইষ্টিক এ্যারেঞ্জমেন্ট এবং এ্যাডমিনিস্ট্রিটিভ সুবিধার জন্যে সেখানে বাংলা ভাষাভাষী আছে তাকে বাংলায় আসতে দেওয়া উচিত। আজ কংগ্রেসের নীতিতে বেঙ্গল পার্টিশন হয়েছে। উদ্ভাস্তু হয়ে যারা আসছে তাদের জায়গা দেবার জন্য আজ তাদের হায়দ্রাবাদ, আন্দামানের দিকে দেখিয়ে দেওয়ার কি যুক্তি থাকতে পারে? এটা অত্যন্ত মর্মান্তিক ব্যাপার। তাই এই যে দাবী আমরা করেছি এটা প্রাদেশিকতার কথা নয়। আমি চিরদিন একজন স্বাধীনতাস্বপ্নের সৈনিক, সমস্ত ভারতবর্ষের স্বাধীনতার কথাই ভেবেছি, শৃঙ্খল প্রদেশের স্বাধীনতার কথা ভাবি নি। আমার সাজেশন হচ্ছে তাই যে এই প্রাদেশিকতা দূর করবার জন্যে চারটি প্রদেশ যথা বাংলা, বিহার, উড়িষ্যা এবং আসাম এদের একত্র করে একটা জোনাল প্রভিন্সএর সৃষ্টি করা হোক। চারটি প্রদেশে চারজন গভর্ণর রেখে মাসিক বিশ হাজার করে খরচা করবার কোন যুক্তি নেই। সেখানে মাত্র একজন গভর্ণর থাকবেন। প্রয়োজন হলে আপার হাউস বন্ধ হয়ে যাবে। গভর্ণর-এর জন্য প্রাদেশিক আইনসভার নিষ্পাচনে কয়েকজন কাউন্সিলর থাকবেন। প্রদেশের মধ্যে কোন ডিসপাউট উঠলে তারা সে বিষয়ে গভর্ণরকে সেটা সমাধানে সহায়তা করবেন, সমস্ত জোন-এর স্বাধীনতা উন্নতির ব্যবস্থা তারা করবেন। জোনাল প্রভিন্স সমস্ত ভারতে গড়ে উঠুক। তাতে খরচ কমবে, প্রাদেশিকতার যে পাপ তা দূর হবে, পরস্পরের মেলামেশার মধ্য দিয়ে প্রাদেশিকতার বিষ বিদূরিত হবে। পরস্পরের ভাব বিনিময়ের মধ্য দিয়ে যে শক্তির সৃষ্টি হবে তাতে একাত্তরবোধপূর্ণ একটা নতুন ভারতবর্ষকে গড়ে তুলবে। সভাপতি মহাশয়, আপনার মাধ্যমে আমার মনের সামান্য কয়েকটা কথা প্রকাশ করে আমার বক্তব্য শেষ করলাম।

Sj. Rabindralal Sinha: Mr. Chairman, Sir, the problem of the reorganisation of States in India is indeed a difficult problem but we have got to solve it. British India was divided into provinces to serve the imperialistic, administrative ends of the then rulers and that without any consideration for the welfare of the people of the different units and of the nation as a whole. This was only natural for the alien ruler. With independence the Indian States acceded to India and were either integrated with the adjoining provinces or were formed into separate provinces in the then set-up of things without any scientific reorganisation of the whole set-up. So to remedy this defect the present States Reorganisation Commission was appointed by the Government of India but unfortunately with the publication of its report narrow parochialism has started raising its ugly head in different parts of the country. So some people including some of the respected leaders of India are proposing the shelving of the whole question for the time being. But, Sir, I believe that would not be conducive to the well-being of this country as a whole. The problem is not only difficult and acute but urgent too. Therefore, the problem has got to be faced squarely and solved early. Delay only worsens matters. Therefore, Sir, I would sound a note of warning against the shelving of the question for the present. Since the Commission started its work, we are observing with pain and sorrow what is being done and said in our adjoining States. We have seen what happened in Goalpara. The other day we had heard what was said in the Bihar Legislature. One of the important members of the Bihar Legislature chose to hurl abuses on the Bengali race and the pity of it is that other members present there applauded that statement. However, I am glad that the Hon'ble Revenue Minister of

Bihar disapproved this performance on the next day. I intentionally refrain from using hard words. It seems to me that the leaders of Bihar are obsessed with the idea of possession with the old ideas of *malikana* in land and therefore they are not willing to part with that which is not legitimately theirs. They seem to forget that the essential objective of any reorganisation of States must be the unity and security of India. They seem to forget that anything that impairs the essential unity of India will, in the long run, affect all States in India not excluding their own. But Bengal cannot and will not forget this essential criterion. Bengal cannot forget that modern Indian nationalism was born in Bengal. Bengal cannot forget that it is she who nursed and nurtured that nationalism to attain the present status; Bengal cannot forget that she had to make the greatest sacrifice for the fulfilment of India's national aspiration. Bengal will not and cannot emulate Bihar.

[11-20—11-30 a.m.]

So far as my friends opposite are concerned, I agree with them that the principal consideration for this reorganisation of the States would be language. I agree, Sir, that this linguistic consideration should not be lightly overridden. I agree that this linguistic consideration should not be overridden unless there be strong and cogent reasons of administration and security, unless it will be for the welfare of the nation as a whole. Sir, in applying this linguistic consideration we will have to take into consideration that in spite of all linguistic reorganisation, in the border areas there will always remain some bi-lingual tracts. We will have to take into consideration the fact that territories like Cachar and Tripura which are linguistically Bengali cannot still be joined with West Bengal because they are not contiguous to the mainland of West Bengal. We will also have to take into consideration the fact of the areas where no language group is in an absolute majority of the population. We will have to take into consideration the fact that some of the smaller language groups, for instance Santali, are not numerous enough to form into a separate State. Therefore, Sir, I would submit that in spite of all reorganisation some safeguards must be provided for the protection of the rights of the minority language group. In this connection, Sir, I would submit that part 4 of the Report has not attracted sufficient attention of the people. Sir, we have seen how the Bengali children in Assam and Bihar are being handicapped by not getting education through the medium of their own mother tongue. The instance of Goalpara is a pointer. It is indeed strange that 252 primary schools imparting education through the medium of Bengali would be reduced to one only in the course of eight years. We have seen, Sir, notably in Bihar and Assam, how the Bengali minority is being deprived of public appointments and educational facilities on the pretext of domicile certificate. Sir, the Commission has discussed this matter at great length, but I am afraid they have not been able to suggest remedies that would actually stop this. In the end they had to admit, Sir, that no security can save the minorities from governmental discrimination of every kind. So, Sir, what I say is this that I accept the position that the main consideration should be linguistic, but still, even after that, some protection, some safeguards must be found out for the population which would be left over.

Now, Sir, I come to the concrete proposals made in the report so far as it concerns West Bengal and the neighbouring areas. I take up Manbhum first. The Commission has recommended the transfer of the Sadar subdivision, that is Purulia subdivision of Manbhum minus the revenue thana of Chas. The Bihar leaders will not even allow us this small area. From whatever consideration we judge our claim to Manbhum is irrefutable. Let us first take up the linguistic question. Sir, in deciding the linguistic

composition of a territory, in Bihar and Assam we must discard the 1951 census figures. Sir, it would be patent if we compare the figures of 1951 with those of a previous census that the census in 1951 was manipulated. The figures were manipulated in favour of the dominant language group in each of the States. Sir, it is indeed strange that in Goalpara in 1931 the Bengali population was 54 per cent., but what reason was there that this figure dwindled to 17 per cent. in 1951? The Commission also has not been able to accept this. We find, Sir, in para. 668 of the Commission's Report that the Commission has also stated that this very striking variation cannot be satisfactorily explained. In para. 719 the Commission has also stated that it is not strange that this rapid increase in the Assamese population in the past two decades has been disputed. Therefore, Sir, from all these aspects it is sure that we cannot put reliance on the 1951 figures. Then, if we take the figures of the previous census, in the whole of Manbhum, not only in Purulia subdivision but in the whole of the district including the town of Dhanbad and the colliery areas surrounding it, the Bengali-speaking population was in overwhelming majority. Now, Sir, even in 1951 census in spite of all manipulations the Bengali-speaking population in the Sadar subdivision of Manbhum could not be reduced to a minority. Of course, Sir, I admit that in the town of Dhanbad and the colliery areas surrounding it, due to influx of floating labour population, Hindi-speaking people have acquired a majority in the population in that small area. But in the rest of the district, even in the rest of the Dhanbad subdivision Bengali-speaking people are in absolute majority. So, judging from the linguistic point of view our claim to the whole of Manbhum is irrefutable. Moreover the catchment area of Kasai is in Manbhum and in order to develop the western part of West Bengal we have got to take up the river project of Kasai. There is a large refugee population of whom a large number are agriculturists. There is no land in Bengal. We have got to settle them, we have got to reclaim the fallow and barren land in the western part of the State, and that cannot be done unless irrigation facilities are available and soil conservation is done. That can only be done if we can take up river valley projects like Kasai and Ajoy, and for that Manbhum and part of Santal Pargana are essential to this State. We have not forgotten, Sir, the attitude of Bihar in regard to Mayurakshi Project and the difficulties with which we had to face. Therefore, Sir, unless we get these catchment areas these river valley projects cannot succeed. As against that, what are Bihar's arguments? They have no proper arguments to make. They challenge the linguistic composition. They challenge the figures of their own census. Even on that, Sir, they have forgotten the lessons of the last general election in Manbhum. In Manbhum on this language issue the Loke Sevak Sangha contested the election and they won it. Manbhum, which is overwhelmingly Congress-minded, voted against Congress on this language issue. This will prove the language composition of Manbhum. The only thing they can say and which they say—the Commission has also accepted it to some extent—is that if Tata-Jamshedpur and Dhanbad are transferred to West Bengal, the balance between agriculture and industry in Bihar would be upset, that there would be economic difficulties for Bihar and that it would tend to retard its future development. Sir, we in Bengal know that if any part of the country remains weak, if any part of the country remains undeveloped, the wellbeing of the whole nation will suffer. Therefore, Sir, I am glad that our Government has not made any claim on the town of Dhanbad and the town of Jamshedpur. When that has not been done, where is the ground to stand upon on this argument? Therefore, Sir, considered from every aspect our claim to Manbhum excluding the town of Dhanbad is irrefutable.

I now come to Dhalbhum. The Commission has accepted the position that Bengali is the largest language group in Dhalbhum. It cannot be

denied that the language of the other groups, the Santhalis, the Adibasis, etc., is more akin to Bengali than to any other language in the 8th Schedule of the Constitution. The Adibasis have taken up Bengali as their second language. They more readily understand and speak Bengali than Hindi or any other language. So on linguistic consideration Dhalbhum minus Jamshedpur—I have already spoken about it—should come over to West Bengal. Dhalbhum moreover is backward and undeveloped.

[11-30—11-35 a.m.]

Dr. Monindra Mohan Chakrabarty: Including Jamshedpur?

SJ. Rabindralal Sinha: Excluding Jamshedpur.

Sir, Dhalbhum is backward and undeveloped. During all these years Bihar has done nothing to develop this part of the country. There is large refugee population in Bengal to settle and Dhalbhum is comparatively sparsely populated. If we succeed in developing Dhalbhum, that can absorb a large refugee population. Therefore, Sir, from this aspect Dhalbhum should come to West Bengal.

So far as Kishenganj is concerned, I am glad that the Commission has appreciated the difficulties of Bengal. All that I would say, Sir, is that the remedy they have suggested must be made real. So I would suggest that in their later memorandum the State Government suggestion regarding adjustment of the borders should be accepted and the border should be fixed accordingly. So far as Santhal Parganas is concerned, the Hindi-speaking population is in absolute minority. Santhali is the main language which, as I have already stated, is more akin to Bengali. Historical association of Santhal Parganas with Bengal is undisputed—past historical associations I mean. Moreover, the catchment area of Ajoy and other rivers are in Santhal Parganas. Therefore, it is absolutely necessary for the proper development of West Bengal, for our very existence, for absorbing this large refugee population that at least Jamtara, Pakur and Rajmahal subdivisions of Santhal Parganas should come to West Bengal.

I now come to Goalpara. As I have already stated, Goalpara is predominantly Bengali-speaking and on linguistic consideration Goalpara should come to Bengal. Of course, I have already stated why 1951 census figures should be disregarded and I am basing my argument on 1931 census figures. Goalpara is contiguous to Bengal, it is predominantly Bengali-speaking. Why should it not come to Bengal? It seems to me that the Commission has found some difficulty in accepting the proposition that the mother tongue of the Muslim population in Kishenganj is Bengali, but the clamour raised by the Assamese population against the influx of immigrants in the past from the adjoining districts of Bengal to Goalpara has not faded out from public memory. Old files and newspapers also will prove that a large Muslim population from adjoining districts of Bengal settled in Goalpara and if Goalpara is transferred to Bengal I do not believe that would adversely affect the economy of Assam.

Now, I come to Tripura. Tripura is a different question. Tripura is separate from West Bengal; it is not adjoining West Bengal but it is a Bengali majority area. Sir, during the past few years we have bitter experience of administering separate units in this State. We know what difficulties this Government had to face and what difficulties the people had to face for the administration of the separate areas in North Bengal. Therefore, Sir, I would say that Tripura cannot come to West Bengal. Moreover, the people of Tripura do not want to come. The Government has been blamed for not claiming Tripura. I wonder how Government can

claim Tripura when it says that two disjointed units of a State cannot be properly administered. In going to Tripura we have to traverse the whole of Assam, practically north to south. So we cannot claim Tripura for West Bengal.

[11-35—11-40 a.m.]

Now, before I conclude I cannot but refer to my friend Mr. Abdul Halim. Shri Abdul Halim has defended the creation of a State within a State for the three subdivisions of the district of Darjeeling. I am not surprised that he has indirectly given encouragement to the disruptionist element in Darjeeling because that is usual with the party to which he belongs. I would not have minded if he had spoken about the linguistic minority for their culture or for their education. But Shri Halim has not done this because he knows quite well that the West Bengal Government not only look after the religious and cultural interests of the minorities but they are generous too.

In conclusion, I must mention that I appreciate my friend Dr. Monindra Mohan Chakrabarty when he says that this problem should be approached not from the party point of view but from the national point of view. I would appeal to all through you, Sir, that this problem should be approached from the national point of view and not from the party point of view.

Sj. Surendra Kumar Roy: Sir, the Commission has enunciated certain formulas in deciding the question of reorganisation of States. We have no quarrel with them. Let us see how these formulas have been put into practice in the case of West Bengal.

The most important formula that has been enunciated by them is unity and security of India. West Bengal has a frontier of about 800 miles bordering on foreign States. It is absolutely necessary to strengthen West Bengal for that purpose. West Bengal is now a truncated State. Since 1905 it has been losing its territories and it is now a disconnected unit. Sir, more lands are absolutely necessary to strengthen it. The West Bengal Government, considering all aspects of the case, made a most modest demand as regards certain lands, but even that modest demand has not been accepted by the Commission. Is it the way to safeguard the security of India?

The next principle that has been enunciated by the Commission is linguistic and cultural homogeneity. Linguistic and cultural affiliation forms the most important element in considering the readjustment of other States, but in the case of West Bengal this principle has been practically discarded. Even the Bengali-speaking areas of Manbhum, Dhalbhum and Rajmahal have not been allotted to West Bengal though historically, geographically and linguistically these areas appertain to it.

The third principle that has been enunciated by the Commission is economic and financial condition. The economic and financial condition of other States has been taken into consideration, but the financial or economic condition was not taken into consideration at all by the Commission when they refused to transfer to West Bengal the rich mineral-producing areas and the industrial areas of Bihar though they really appertain to West Bengal.

The other main principle is national development. The West Bengal Government has started river control and irrigation development projects in the Burdwan Division. It requires certain portion of Santal Parganas and Manbhum for this purpose. The West Bengal Government also require the catchment areas of the rivers Ajay and Kasai for the development of their irrigation projects, but even these areas have not been allotted to it.

The next point refers to density of population. So far as population is concerned, West Bengal is the most densely populated area in India and the influx of 3½ millions of refugees has made its condition worse.

[11-40—11-45 a.m.]

Considering all aspects of the case, the West Bengal Government made a most modest demand, but that was not even accepted. We want that we must have the whole of Manbhum and Dhalbhum and Rajmahal areas and other Bengali-speaking areas near about it and part of Santal Paraganas and Goalpara which really appertains to Bengal. We want that as a matter of right, not as a matter of favour.

Regarding the inclusion of Kishanganj, it has been said that there has been agitation among the Muslims of Kishanganj. That is not true. In fact, most of the Muslims that went to Pakistan have returned to West Bengal. They have been rehabilitated. They are living here happily. Possibly from interested quarters this propaganda has been created, and this problem, this provocation of communalism, should be condemned by all public men of India.

Last of all, I must refer to the statement made by the Hon'ble Mr. Fazle Ali. He said that for his long connection with Bihar he did not take any part in investigating and deciding the boundary question between Bihar and West Bengal. If he thought so, he ought not to have been in the Commission at all. Some may presume that his decision on this point may have created a soft corner in the minds of other members of the Commission in favour of that State.

With these words, Sir, I take my seat.

The Hon'ble Dr. Bidhan Chandra Roy: Sir, I think I should say a few words in order to clear up certain points that have been raised by my friends in this House. It is true that even for the development of a country it is necessary to have linguistic affinity with the people and also easy communication in different parts. These are two fundamental considerations. The will of the people of the area should be also ascertained. But S^r. Annada Prosad Choudhuri has raised the question why has the Congress Government appointing the Commission did not mention the linguistic consideration while formulating their charge to the Commission. The Commission was asked to see that the welfare of the people of each constituent unit as well as of the nation as a whole is promoted. He has assumed that this has made a change in the approach of the Congress towards the linguistic position. Therefore I will try and give the reasons for this charge. It is true that since 1905 the Indian National Congress in its session and also in various committees, etc., had proposed reorganisation of provinces on the basis of linguistic principle. As a matter of fact, in 1908 the Congress organisations were converted into linguistic groups, the different parts of India. For instance, since Andhra was separated from the Madras Congress, Sindh from the Bombay Congress on the basis of linguistic affinity.

[11-45—11-50 a.m.]

At that time the Congress had thought that organisation of the country for fighting British Imperialism could be on the linguistic basis. In 1927 the Congress declared that a beginning could be made by constituting Andhra, Utkal, Sind and Karnataka into separate congress provinces. When the Nehru Committee Report was published in 1928 they said "Language as a rule corresponds with a special variety of culture, of traditions and literature. In a linguistic area all these factors will help in the general

progress of the province". They also said that the main consideration must necessarily be the wishes of the people and the linguistic unity of the area concerned. But in the Congress election manifesto of 1945-46 there was a perceptible change in the outlook of the Congress leaders on the subject of division of the country on linguistic basis. The report says "There was a perceptible change, however, in the outlook of the Congress leaders on the subject with the Partition and the achievement of Independence. These brought in their wake unthought-of problems, giving rise to serious doubts as to whether the old pledges of distribution of provinces on linguistic basis could be redeemed in the new conditions".

Then came the Dar Commission in 1948. This Commission emphasised that everything which helped the growth of nationalism had to go forward and everything which impeded it had to be rejected or should stand over. Therefore they suggested that history, geography, economy and culture should be given due prominence. In the opinion of the Commission if new States formed after taking into consideration all these factors possess linguistic homogeneity also, that will be an additional advantage. It will be noticed that the current of thought of different Commissions and Committees went on changing.

In the J. V. P. Committee report—the committee appointed at the Jaipur Session and consisting of Shri Jawaharlal Nehru, Sardar Vallabhbhai Patel and Dr. Pattabhi Sitaramayya—it was stated that the primary consideration for alteration of boundaries should be "the security, unity and economic prosperity of India and every separatist and disruptive tendency should be rigorously discouraged". Then it said—and this is more important—"language was not only a binding force but also a separating one". The old Congress policy of having linguistic provinces could only be applied after careful thought had been given to each separate case and without creating serious administrative dislocation or mutual conflicts which would jeopardise the political and economic stability of the country. It is obvious that the way of thinking before Independence had undergone a change after Independence. In 1951 there the Congress Election manifesto declared that the decision about the reorganisation of States would ultimately depend on the wishes of the people concerned and that while linguistic reasons were important, there were other factors also, such as economic, administrative and financial considerations, which had to be taken into account. A specific mention on the same line was made in the Congress Committee Resolution at Hyderabad in January, 1953, and again in Kalyani Session of the Congress in 1954. It was stated that in considering the reorganisation of States all relevant factors should be borne in mind: such as the unity of India, national security and defence, cultural and linguistic affinity, administrative convenience, financial considerations and economic progress both of the States and of the nation as a whole. This is the background against which the Commission

[11-50—11-55 a.m.]

was appointed and naturally the Commission was given direction regarding the various factors which would be considered in the case of reorganisation of States. I have stated elsewhere that human beings are possessive animals. That is to say, they would like to have or possess more and more, but in a civilised society we have to consider not merely what we have but what do we do with what we have. The language affinity is an important consideration as also the wishes of the people. The point is that they are not end in themselves. The language affinity is to be sought for the purpose of a higher object,

namely, the welfare of the country and if you want to develop your country, as I have said in my speech in the Assembly, you need two things. First of all, you need a contiguous area under your control and communication should be easy and as far as is possible there should be language affinity. Now, applying this principle let us examine the position of Tripura. It is admittedly a Bengali-speaking area. Therefore the possessive instinct of human beings would like to have Tripura. Now I asked myself what shall I do with Tripura? I have no physical contiguity with Tripura. I cannot develop it effectively. If I get a big house unless I know how to use the big house what is the good of having a big house. Apart from this we discussed with the people of Tripura whether they were willing to come to West Bengal. They were not willing to come. I pleaded with them in Delhi but they were neither willing to come to Bengal, nor they were willing to go to Assam. They wanted to be under the Central Government. What the Central Government would do I do not know, but I tell you what the wishes of those people are. I know the same arguments will hold good in case of Goalpara. Don't be deluded into thinking that getting Goalpara will be necessarily advantageous to us if the people don't like it. I doubt very much whether the people there are willing to come to Bengal. They have got more cultural affinity with the people of Kamrup area. Secondly, comes the communication. The communication is to be made through Cooch Behar. Due to this communication difficulty Cooch Behar is a problem to us on many counts. It will be still more difficult to have an area which we cannot develop properly. The same thing can be said of other areas. I have already said and I repeat again that the areas in Santal Parganas, Dalbhum in Singhbhum district and Manbhum which are contiguous to the border of Bengal are different proposition. They are capable of being developed by us but they are not capable of being developed by Bihar. This is my primary consideration. Nobody has any right in national interest to hold any area which he allows to remain undeveloped. Ajoy comes from the Santal Parganas where it has a catchment area.

[11-55—12 noon.]

But I know that it is not likely that Bihar will develop it because Bihar is not interested in its development. Any development which might take place would be by harnessing the river, developing the water power or making arrangements for irrigation. These could benefit Bengal but not Bihar. In the interest of the country as a whole it is essential that these areas should be developed. It is no use one saying that "the property is mine and I do not wish to let you have it." That should not be the attitude of a nationalist. You cannot say that the property is yours or the property is mine. The property belongs to the people. Therefore, the problem with regard to these areas is different from the problem of other areas. Then the question arises—why did we suggest that Dhanbad and Jamshedpur towns, even if they are areas with Bengali-speaking majority—should not be considered in this connection. The reason is simple. They are not areas which need development. They have been developed not by Bihar alone, not by Bengal alone but by the whole of India. Therefore, there will be no strength in my argument for transfer of these two towns in the same manner as I can argue about the rest of the areas about which I have mentioned. There is another reason. The economy of Bengal is such that these areas may help commerce. Now if you take away Dhanbad and Jamshedpur towns Bihar might equally argue that it will upset her economy. I do not doubt that. Therefore, I thought as a matter of agreement, although we might concede that these two towns have got a majority of Bengali-speaking population—I do not know whether there is a majority as

it is very difficult to have any idea from the Census—it would be better to give them up provided the rest of Manbhum area and the rest of Dhalbhum came to Bengal. Again, I repeat that development means construction of certain works in which the unemployed can be employed. It means development of power which can give employment; it means finding out resources of these areas and see whether our people would be benefited by the resources of these areas. Whether Parliament would agree or not I would press for it. I have asked the members of the Legislature to press this demand in the Parliament because after all they will decide what will happen. With regard to Purnea district I am sorry that Bihar should have raised the communal issue. In Bengal we have 50 lakhs of Mussalmans. Nearly all the Mussalman representatives in the State Legislature belong to the Congress group. Therefore, to say that the Mussalmans would be unsafe if they come to Bengal has no legs to stand upon. If we can look after 50 lakhs of Mussalmans another 2 lakhs would not add much to our difficulty. In order not to allow even the administrative proposal, even the proposal for joining the upper parts of Bengal with the lower parts they have raised this bogey. This is a very unfortunate thing.

[12—12-2 p.m.]

Sir, it will be remembered that at the first stage Sir Cyril Radcliffe had given Khulna to Bengal and Murshidabad to Pakistan. But when it was pointed out that the rivers which feed Hooghly come from Murshidabad district and that State which would have Hooghly must have the control of these three rivers, he changed the scheme of partition and gave Khulna to Pakistan although Khulna was a predominantly Hindu area and gave Murshidabad to West Bengal. I mention it for this reason that whenever you are thinking of re-distribution of provinces the mere fact that one area has a Bengali population, another area has not, or the mere fact that one area has got Hindu, another area Muslim majority population, should not deter us from saying that for the purpose of administration, for the purpose of developing the country it is essential that these areas should come to us. I said it yesterday and I repeat it—let us not be oblivious of the fact that the development and prosperity of Bengal means the development and prosperity of Bihar also. If Bengal is uneconomical and is in difficulty, Bihar will be in difficulty, because Bihar's outlet is through Bengal—both for import and export. Therefore, it is no use arguing like the frog in the well—I will not see what is happening elsewhere. Let everybody see that the demand that is being made is based upon reason and logic.

With these words, Sir, I support the resolution moved by me.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that this Council takes into consideration the Report of the States Reorganisation Commission appointed by the Government of India in the Ministry of Home Affairs Resolution No. 53/69/53-Public, dated the 29th December, 1953, and recommends that the proceedings of the discussion be forwarded to the Government of India for their consideration, was then put and agreed to.

Mr. Chairman: It is carried unanimously. The Council stands adjourned *sine die*.

Adjournment

The Council was accordingly adjourned *sine die* at 12-2 p.m.

Members absent

Banerjee, Sj. Sunil Kumar,
Banerji, Sj. Sankar Das,
Basu, Sj. Gurugobinda,
Bose, Sj. Subodh Kumar,
Guha, Sj. Prafulla Kumar,
Nahar, Sj. Bijoy Singh,
Prasad, Sj. R. S.,
Prodhan, Sj. Lakshman, and
Sarkar, Sj. Pranabeswar.

COUNCIL DEBATES

Monday, the 19th December, 1955.

THE COUNCIL met in the Legislative Chamber of the Legislative Buildings, Calcutta, on Monday, the 19th December, 1955, at 10 a.m., being the third day of the Eighth Sessions, under the Constitution of India.

Mr. Chairman (The Hon'ble Dr. SUNITI KUMAR CHATTERJI) was in the Chair.

[10—10-10 a.m.]

Obituary reference.

The Hon'ble Prafulla Chandra Sen: Sir, may I have your permission to express our sorrow at the sad demise of Shri Prafulla Kumar Guha, a member of this House, and of Sj. Koustuv Kanti Karan, a member of the Legislative Assembly. Shri Prafulla Kumar Guha was only 55 years old and, although he was ailing for some time, he got well just before he expired. His death was thus a sudden one. He was an active social worker, and the people of Dum Dum loved him so much that he was elected Chairman not only of the North Dum Dum Municipality but, for one term, also of the South Dum Dum Municipality. He was the Chairman of the North Dum Dum Municipality for a pretty long time. He was a silent worker and his absence from our midst is very much regretted. May you, Sir, kindly send our condolences to the members of his bereaved family and also to the members of the family of Sj. Koustuv Kanti Karan?

Sj. Nirmal Chandra Bhattacharyya: Sir, we fully associate ourselves with the sentiments expressed by the Leader of the House, Mr. Prafulla Chandra Sen. As I am standing here to speak on the sad passing away of Mr. Prafulla Kumar Guha, I feel as if Mr. Guha will come personally and take his usual seat on the Congress benches over there. It is difficult to believe that he has ceased to be a part and parcel of the West Bengal Legislative Council. We knew him; we admired him for his quiet dignity. Mr. Guha was not one of those fussy politicians who encumbered the political life of the State, but he was a man who believed in hard work and who did not think that it was necessary for him to advertise himself. We remember him with a very sad heart. For many long years we shall remember his association with us.

Sir, at this moment we also think of our departed friend Mr. Koustav Kanti Karan. He was very young and energetic. Nearly every member of the House knew Mr. Karan. I came to know him personally and very intimately as a member of the Select Committee on the Land Reforms Bill. I admired him for his enthusiasm, for his love for the common people, particularly the peasantry. We know that it was due to his endeavour that many of the very desirable elements of the original Bill came to be accepted. We remember him and many of us feel that his was an example which deserves to be emulated.

We pay our tribute and respect to Mr. Prafulla Kumar Guha and Mr. Koustuv Kanti Karan. We fully associate ourselves with the resolution that has been moved by Mr. Sen.

Mr. Chairman: Hon'ble Members, we have a very melancholy duty to perform this morning before we can take up the ordinary business of the Council. Since we last met on the 6th December, we have been bereft of one of our colleagues in the Council, **Shri Prafulla Kumar Guha**, who was elected to the Council from the 24-Parganas Local Authorities Constituency.

He passed away at the comparatively early age of 54 on Wednesday, the 7th of December, 1955 at mid-day being taken ill suddenly, and his death was due to cerebral thrombosis as a result of very high blood pressure. Born on 27th September, 1901, he was the son of the late Rai Bahadur Rajendra Nath Guha, who was a well-known businessman and contractor of North Calcutta, and he interested himself in social welfare in his area. Shri Prafulla Kumar was born in the ancestral home of the family in village Sanktia in the district of Burdwan, and he was educated in Dum Dum. He graduated from Ripon College at the age of 19, and he took part in public life from his 20th year. He was all along associated with the Congress. From his early youth he took a very keen interest in the affairs of the various local bodies in his area, and for over 25 years he was associated with the Dum Dum Municipality. At one time he was Chairman of both Dum Dum and South Dum Dum Municipalities, and for these two decades and more he was the universally respected Chairman of the South Dum Dum Municipality. He was also one of the founders of the West Bengal Municipal Association of which he was an active member all through, and for a term he was its Vice-President as well as President. He took a leading part in promoting the welfare of his own area, Dum Dum and its neighbourhood as well as of his ancestral village Sanktia, and he was closely associated with the local high school (Baidyanath Institution) and was President of the local library and literary club at Dum Dum. He was also a founder of the Sanktia Middle English School which he was anxious to raise to a High English School. He could be described as a very sincere social worker who never spared himself in the interest of the public. In 1930 he was elected uncontestedly a member of the old Legislative Council of undivided Bengal, which he served up to 1937. At the last general elections he was returned as a Congress candidate to our Council. He was quite an unassuming man and made friends everywhere, and he was well-known and universally respected for his large-hearted charities. He also did signal service to his people during the last Bengal famine when he started on his own initiative free kitchens, and he was in the forefront in the rehabilitation of refugees from East Bengal after the partition during recent years. He has left behind him his mother, aged over 72, besides his widow and 4 sons and 6 daughters, and a number of other relations.

Ladies and gentlemen, we offer our heartfelt condolence to the bereaved family, and we pray for the peace of his soul.

I would request you to rise in your seats for a minute to pay respect to his memory.

[Members rose in their seats.]

Thank you, ladies and gentlemen, the Secretary will do the needful in sending our message of condolence to the bereaved family.

[10-10—10-12 a.m.]

Hon'ble members, I also beg on your behalf and mine to express our sense of sorrow at the untimely passing away of another legislator in our State. He was **Shri Koustuv Kanti Karan**, who passed away early in the morning on the 12th of December, 1955, at 6 a.m. He was suffering from

fever for about 5 or 6 days and then it developed into meningitis, and in spite of the best efforts of the medical science in this Province he passed away quite early in life.

He was elected to the Legislative Assembly from the Khejri Constituency, Contai subdivision, in the district of Midnapore as a Congress representative, and scored the highest number of votes from that constituency. In the Assembly he was a very prominent member and he would participate in the deliberations over every Bill in the House, and in these discussions he evinced a very intelligent interest in the problems in hand and an active sympathy. He was the eldest son of the late Mahendra Nath Karan, a historian and a well-known writer from Midnapore district. He had quite a brilliant academic career, and obtained scholarships in many of his examinations. He graduated from Ripon College, Calcutta, and after taking his Law Degree he joined the Alipore Bar, where he made quite a name for himself as an efficient and conscientious lawyer. Every since his student life he has always been closely associated with the political activities of his native district, Midnapore, and he joined the national movement in 1942, and had to seek refuge from the wrath of the British Government at that time by going underground for a considerable period. There was a proclamation issued against him with a reward of Rs. 5,000 for his apprehension and arrest, and he was subsequently arrested but acquitted on trial. During the 1942 movement the military raided his house and seized and destroyed 1,000 books of his personal library. He was a very enthusiastic follower of the Congress and while only a B.A. student he was elected President of the Khejri Union Board. He was very closely connected with many social and educational institutions of Midnapore.

At the time of his death he was only 36. We thus have the case of a very brilliant and promising public career cut short by the cruel hand of death. He leaves his widowed mother, 2 sons and 2 daughters and a large number of friends and relations to mourn his loss.

We wish to place on record our heartfelt condolence from the Council for this distinguished son of the motherland.

I would request you, ladies and gentlemen, to stand in your seats for a minute in silence to pay our tribute of respect to his memory.

[Members rose in their seats.]

Thank you, ladies and gentlemen, the Secretary will take proper steps to convey the condolence of the Council to the bereaved family.

As a mark of respect to the memory of Shri Prafulla Kumar Guha and Shri Koustuv Kanti Karan I adjourn the House for the day. The House will sit again tomorrow the 20th December, 1955, at 9 a.m. and first the items of business which will be taken up will be the Bengal Finance (Sales Tax) (Third Amendment) Bill, 1955, the West Bengal Sales Tax (Second Amendment) Bill, 1955, the Damodar Valley Corporation (West Bengal Amendment) Bill, 1955, and the other Ordinance Bills.

Adjournment.

The Council was accordingly adjourned at 10-12 a.m. till 9 a.m. on Tuesday, the 20th December, 1955, at the Legislative Buildings, Calcutta.

Members absent.

Banerjee, Sj. Sunil Kumar,
Banerji, Sj. Sankar Das,
Bose, Sj. Subodh Kumar,
Mahammad Sayeed Mia, Janab,
Prodhan, Sj. Lakshman, .
Roy, Sj. Chittaranjan,
Roy, Sj. Surendra Kumar,
Sanyal, Dr. Charu Chandra, and
Sarkar, Sj. Pranabeswar.

COUNCIL DEBATES

Tuesday, the 20th December, 1955.

THE COUNCIL met in the Legislative Chamber of the Legislative Buildings, Calcutta, on Tuesday, the 20th December, 1955, at 9 a.m. being the fourth day of the Eighth Sessions, under the Constitution of India.

Mr. Chairman (The Hon'ble Dr. SUNITI KUMAR CHATTERJI) was in the Chair.

[9—9-10 a.m.]

Messages.

Secretary (Sj. A. R. Mukherjee): Sir, the following Messages have been received from the West Bengal Legislative Assembly, namely:—

(1)

“Message

The West Bengal Land Reforms Bill, 1955, as passed by the West Bengal Legislative Assembly at its meeting held on the 14th December, 1955, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

Speaker,

West Bengal Legislative Assembly.”

CALCUTTA:

The 15th December, 1955.

(2)

“Message

The West Bengal Sales Tax (Second Amendment) Bill, 1955, as passed by the West Bengal Legislative Assembly at its meeting held on the 15th December, 1955, has been duly signed and certified as a Money Bill by me and is transmitted herewith to the West Bengal Legislative Council under Article 198, clause (2) of the Constitution of India.

S. K. MUKHERJEE,

Speaker,

West Bengal Legislative Assembly.”

CALCUTTA:

The 17th December, 1955.

(3)

“Message

The Bengal Finance (Sales Tax) (Third Amendment) Bill, 1955, as passed by the West Bengal Legislative Assembly at its meeting held on the 15th December, 1955, has been duly signed and certified as a Money Bill by me and is transmitted herewith to the West Bengal Legislative Council under Article 198, clause (2) of the Constitution of India.

S. K. MUKHERJEE,

*Speaker,**West Bengal Legislative Assembly.”*

CALCUTTA :

The 17th December, 1955.

(4)

“Message

The Damodar Valley Corporation (West Bengal Amendment) Bill, 1955, as passed by the West Bengal Legislative Assembly at its meeting held on the 15th December, 1955, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

*Speaker,**West Bengal Legislative Assembly.”*

CALCUTTA :

The 17th December, 1955.

(5)

“Message

The Indian Registration (West Bengal Amendment) Bill, 1955, as passed by the West Bengal Legislative Assembly at its meeting held on the 15th December, 1955, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

*Speaker,**West Bengal Legislative Assembly.”*

CALCUTTA :

The 17th December, 1955.

(6)

"Message

The Bengal Nurses (Amendment) Bill, 1955, as passed by the West Bengal Legislative Assembly at its meeting held on the 15th December, 1955, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

*Speaker,**West Bengal Legislative Assembly."*

CALCUTTA:

The 17th December, 1955.

(7)

"Message

The Cattle-Trespass (West Bengal Amendment) Bill, 1955, as passed by the West Bengal Legislative Assembly at its meeting held on the 15th December, 1955, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

*Speaker,**West Bengal Legislative Assembly."*

CALCUTTA:

The 17th December, 1955.

Sir, I beg to lay on the table copies of the Bills.

GOVERNMENT BILLS.**The West Bengal Sales Tax (Second Amendment) Bill, 1955.**

The Hon'ble Dr. Bidhan Chandra Roy: Sir, I beg to move that the West Bengal Sales Tax (Second Amendment) Bill, 1955, as passed by the West Bengal Legislative Assembly and transmitted to the West Bengal Legislative Council for its recommendations, be taken into consideration.

This Bill refers to the question of levying a tax on the first sales, namely, on the sales by importers and manufacturers only. This is in regard to the provisions of the West Bengal Sales Tax Act, 1954, which was passed last year. The House will remember that it was originally intended for cigarettes only. Under section 25 of the Act, however, we have a provision that any commodity which was taxable under the Bengal Finance Sales Tax Act, 1941, would on being notified by the State Government be taxable under the Act of 1954 at the source instead of under the Act of 1941. Under

notifications issued from time to time, soap, milk powder and other commodities have been brought under the scope of the 1954 Act. It will be found that in the case of cigarette or other commodities I have mentioned, there is no Government participation in the sale. Hence "Government" was not specifically included in the definition of the word "dealer" in the original Act. Sugar was formerly excluded from the sales tax. In the last session of the Legislature this exemption was removed and almost simultaneously a notification was issued bringing sugar within the purview of the Act of 1954. Members will recall that although the rate at which taxes are levied under the Act of 1954 was little lower than the rate at which the ordinary commodities are taxed under the Sales Tax Act of 1941, but yet because it is a tax at the source for importers or manufacturers, we felt that even the lower rate would give us a better return.

In the case of sugar, however, Government imports certain quantities for sale in West Bengal. It would be obviously unfair if the tax did not apply to all sales by importers or manufacturers. Therefore we felt that in the word "dealer", specifically the word "Government" must be included. Accordingly on the 15th November, 1955, the West Bengal Sales Tax (Amendment) Ordinance was promulgated in order to ensure that the sales of sugar by the Government were taxable in the same manner as sales by other dealers. The object of the present Bill is to regularise the provisions of the Ordinance.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the West Bengal Sales Tax (Second Amendment) Bill, 1955, as passed by the West Bengal Legislative Assembly and transmitted to the West Bengal Legislative Council for its recommendations, be taken into consideration, was then put and agreed to.

Mr. Chairman: If any member wishes to speak on this, he may do so.

[No member rose to speak.]

The Bill may be returned to the Assembly without comments.

The Bengal Finance (Sales Tax) (Third Amendment) Bill, 1955.

The Hon'ble Dr. Bidhan Chandra Roy: Sir, I beg to move that the Bengal Finance (Sales Tax) (Third Amendment) Bill, 1955, as passed by the West Bengal Legislative Assembly and transmitted to the West Bengal Legislative Council for its recommendation, be taken into consideration.

Sir, the position with regard to this is this. In the last session of the Legislature the Bengal Finance Sales Tax Act of 1941 was amended to remove the exemption of bullion and species from sales tax. Gold ornaments when sold by the manufacturer who charges separately for the value of the gold and the cost of manufacture continue still to be exempted from sales tax. The present amendment is for the purpose of levying a tax on those who sell ornaments and show the account for the sale of the bullion and the making charges separately, which are now exempted. I remember telling the Legislature last time when we removed the exemption of bullion and species from the sales tax that the rate will be three pice in the rupee as in the case of every item under the Sales Tax Act, but that I would find out from the trade whether the trade could bear three pice in the rupee. This, as I expected, elicited strong representation from dealers of gold with whom ornaments are also for sale. I met several of them and discussed these points. Their contentions were that while gold should not be taxed without taxing gold ornaments sold by the manufacturers who charge separately for gold and making charges, those who sell ornaments without

showing in their bill the gold and the making charge separately have got to pay the ordinary sales tax, but according to the present arrangement those who show in the bill the price of gold separately from the making charges are exempted.

[9-10—9-15 a.m.]

On a careful investigation of the matter Government felt that there is force in the contention of the traders for taxing gold only and not taking the gold ornaments if the making charge and the price are shown separately. It was then found that in practically every State there is a tax on ornaments which are sold and where the price of the gold and the making charge are shown separately. The amount per hundred rupees varies from Rs. 3-2 to Rs. 6-4 except in Bombay where it is Rs. 1-13. We have lower tax than Bombay and our charges would be one per cent., Re. 1 per hundred. Ornaments when sold by the manufacturer charging separately for the gold and the cost of manufacture should be taxed at one per cent. of the turn-over and gold itself should be charged at $\frac{1}{2}$ per cent.—8 annas per hundred rupees, which is lower again than any other Province in India.

As you know, according to our Sales Tax Act, if a person buys gold for the purpose of making an ornament then the tax on that gold is now levied. Any goods which is purchased for the purpose of processing the goods are not charged under the Sales Tax Act. Therefore, if gold is purchased, he only pays 8 annas per hundred rupees which is a very low figure and if he purchases gold for the preparation of an ornament he pays Re. 1 for every hundred rupees, one per cent. Even if he shows the price of gold and price of making separately, then one rupee is charged.

I may quote the figures in different Provinces: In Assam it is Rs. 3-2; in Andhra it is Rs. 3-2; in Bihar it is Rs. 3-2; in Bombay it is Rs. 1-13; in Delhi it is Rs. 3-2; in Hyderabad it is Rs. 2 per hundred; in Madhya Bharat it is Rs. 1-9; in Madhya Pradesh it is Rs. 6-4; in Madras it is Rs. 3-2; in Mysore it is Rs. 3-2; ours is Re. 1 per hundred—one per cent.

With these words I move the motion that stands in my name.

Sj. Satya Priya Roy: Mr. Chairman, Sir, I am so glad to see that the Finance Minister of West Bengal has been so kind in taxing the bullion dealers. He has reduced the rate and has made it lower than is obtaining in other States in India. But there are other dealers who deal with the daily necessities of life, like sugar, and those dealers are taxed heavily, and we feel that he should reduce the sales tax on these items of life.

Sj. Nirmal Chandra Bhattacharyya: Sir, there has been some difference of opinion regarding the principle behind the justification of levying tax on the taxable turn-over of a dealer who charges separately for the value of gold and the cost of manufacture. So far as I have been able to understand the matter it brings within the scope of taxation the manufacture when of course the manufacturer charges separately for gold and the cost of manufacture. That principle is a very desirable one, but the question that has been raised by Mr. Roy is a pertinent one. How is it, he says, that the bullion dealers have been favoured whereas other people have not been similarly treated. He feels that if the other sections of the people, the sugar dealer for example, were similarly treated, then of course, the poor people, particularly the poorer section of the people would be benefited.

That is a point which we would like to place before the Finance Minister for his consideration.

[9-15—9-20 a.m.]

The Hon'ble Dr. Bidhan Chandra Roy: Sir, I have nothing very much to add. I will keep my mind, ears and eyes open to the results of the imposition of the sales tax on different commodities and as and when we feel that it is pressing hard upon the poorer consumers, we shall certainly bring in Bills to amend our proposal regarding sales tax.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the Bengal Finance (Sales Tax) (Third Amendment) Bill, 1955, as passed by the West Bengal Legislative Assembly and transmitted to the West Bengal Legislative Council for its recommendations, be taken into consideration was then put and agreed to.

Mr. Chairman: As there are no recommendations, the Bill will be returned to the Assembly without any comment.

The Damodar Valley Corporation (West Bengal Amendment) Bill, 1955.

The Hon'ble Ajoy Kumar Mukherji: Sir, I beg to move that the Damodar Valley Corporation (West Bengal Amendment) Bill, 1955, as passed by the Assembly, be taken into consideration.

এটা একটা ছোট আইন। আমরা দামোদর ভ্যালিতে কাজ করতে গিয়ে দেখছি, সাধারণতঃ ল্যান্ড একুইজিসন এ্যাক্ট অনুসারে জমি নিতে গেলে, যে সময় লাগে, সেই সময়মত কাজ করতে গেলে, কাজ তাড়াতাড়ি হয় না। ফলে বহু টাকা ক্ষতি হয়। হয়ত একটা ক্যানাল কাটা হবে, সেটা আগে থেকেই ঠিক হয়ে গেল, ল্যান্ড একুইজিসন হয়ে গেল, সমস্ত এলাইনমেন্ট ঠিক হয়ে গেল, তারপর সেখানকার গ্রামের লোকেরা দরখাস্ত করলো, এবং আমরা সব ক্ষেত্রে এই পথ বদলে দিয়ে নতুনভাবে এলাইনমেন্ট ঠিক করেছিলাম। এইসব নতুন জমি একোয়ার করতে ৫।৬ মাস লাগে যায়। যেখানে আমরা তাড়াতাড়ি করতে চাই, সেখানে এইজন্য দেরী হয়ে যায়। যাতে কাজ তাড়াতাড়ি করা যায়, সেইজন্য এই আইন করা হচ্ছে। এতে শীঘ্র কাজ হবে, টাকা ক্ষতি হবে না এবং ফলও শীঘ্র পাওয়া যাবে। এইসব কারণেই এই আইনটা করা হচ্ছে।

Sj. Satya Priya Roy:

সেচ মন্ত্রীমহাশয় এটাকে ছোট আইন বললেন, কিন্তু এর গুরুত্ব আছে, আমি সেই কথাই বলছি। এই যে ল্যান্ড একুইজিসন এ্যাক্ট আছে, সেই অনুসারে যে সমস্ত প্রজাকে জমি থেকে উচ্ছেদ করা হয়—তাদের জমিতে খাল কাটবার জন্য নেওয়া হয়, তাদের সময়মত ক্ষতিপূরণ দেওয়া হয় না। আমরা পরিকাতেও দেখেছি যে, বহু লোকের কাছ থেকে জমি আদায় করে নিয়েছেন, কিন্তু তারা বারবার চেষ্টা করা সত্ত্বেও তাদের ক্ষতিপূরণ দেওয়া হচ্ছে না। সেচ মন্ত্রীমহাশয় এই বিশেষ আইন কেন করছেন, জমি নেবার প্রয়োজন কেন হচ্ছে, যাদের কল্যাণে খাল কাটা হবে কেন তারা বাধা দিচ্ছে? নিশ্চয় এমন কোন গলদ ও ত্রুটি আছে, যার জন্য জনসাধারণ তাদের সঙ্গে সহযোগিতা করছে না।

The Hon'ble Prafulla Chandra Sen: The question of compensation does not arise with regard to this Bill.

Sj. Satya Priya Roy: This is a Bill that has been held by Government to expedite the acquisition of land. So, what I say is quite relevant to the consideration of this Bill.

আমার মনে হয় আমাদের সরকারপক্ষ জোর করে, আইন করে, যে কাজ করতে যাচ্ছেন, যার জন্য জনসাধারণের সহযোগিতা পাচ্ছেন না, সেটা না করে যে প্রচলিত আইন আছে, সেইগুলির সাহায্যেই এই কল্যাণকর কাজগুলি করা উচিত। সৌদির থেকে আমার মনে হয়, এই বিলের অন্তর বিশ্লেষণ করলে দেখা যাবে যে, এর কোথাও দোষ আছে, যার জন্য এরা জনসাধারণের সহযোগিতা পাচ্ছে না এবং তাদের জোর করে জমিচ্যুত করতে বাধ্য হচ্ছেন। সেইজন্য আমার মনে হয়, তিনি এইটি বিশ্লেষণ করার পর এই রকম একটা অর্ডিন্যান্স আনবার সিদ্ধান্ত গ্রহণ করবেন।

Sj. K. P. Chattopadhyay: Sir, I realise that there is necessity for a Bill of this type to expedite acquisition of land. At the same time, I would like to associate myself with one point which has been raised by my friend Sj. Satya Priya Roy, viz., that in all cases there should be proper planning for rehabilitation and proper steps taken immediately for rehabilitation of those who are displaced from the land. I am afraid, Sir, that this does not take place in the proper way. This is not the occasion for talking at length on that point. So, I shall make this comment and draw the attention of the Hon'ble Minister who is in charge of this work to this aspect of the problem.

[9-20—9-25 a.m.]

The Hon'ble Ajoy Kumar Mukherji:

এই বিলে ক্ষতিপূরণের কথা আসে না। যে আইনে এখন জমি নেওয়া হয়—ল্যান্ড একুইজিসন অ্যাক্ট—তাতে ক্ষতিপূরণ দিতে যে সময় লাগে এতে তার চেয়ে কম সময় লাগবে, বেশী সময় লাগবে না। জনসাধারণের বাধা দানের কথা বলা হয়েছে, সেটা ক্ষতিপূরণের টাকার জন্য নয়, নিজের জমি বাঁচাবার চেষ্টায়, কিন্তু জনস্বার্থের খাতিরে সেটা বাঁচান অনেক সময় সম্ভব হয় না। এই বিলের সঙ্গে ক্ষতিপূরণের কোন সম্পর্ক নেই, কারণ যে আইন আনতে চাইছি, রেকুইজিসন অ্যান্ড একুইজিসন অ্যাক্ট, তাতে ক্ষতিপূরণ দিতে দেরী হয় না। দামোদর ভ্যালি কর্পোরেশন কি ময়ূরাক্ষী প্রভৃতি বড় বড় কাজের জন্য আমরা আলাদা করে ল্যান্ড রিকুইজিসন অফিসার নিয়োগ করছি।

The motion of the Hon'ble Ajoy Kumar Mukherji that the Damodar Valley Corporation (West Bengal Amendment) Bill, 1955, as passed by the Assembly, be taken into consideration, was then put and agreed to.

Clauses 1 to 4.

The question that clauses 1 to 4 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Ajoy Kumar Mukherji: Sir, I beg to move that the Damodar Valley Corporation (West Bengal Amendment) Bill, 1955, as settled in the Council, be passed.

The motion was then put and agreed to.

The Indian Registration (West Bengal Amendment) Bill, 1955.

The Hon'ble Satyendra Kumar Basu: Sir, I beg to move that the Indian Registration (West Bengal Amendment) Bill, 1955, as passed by the Assembly, be taken into consideration.

Section 9 of the Indian Stamp Act provides that the collecting Government may, by rule or order published in the *Official Gazette*, reduce or remit, whether prospectively or retrospectively, in the whole or any part of the territories under its administration, the duties with which any instruments or any particular class of instruments, or any of the instruments belonging to such class or any instruments when executed by or in favour of any particular class of persons, or by or in favour of any members of such

class are chargeable. The "collecting Government" has been defined to mean "Provincial Government". Section 78 of the Indian Registration Act provides that the Provincial Government shall prepare a table of fees for registration payable in respect of certain matters. Therefore, under section 78 there is scope for reduction of fees and fixing it at a lower rate, but there is no scope for remission or exemption. It is now proposed by the provisions contained in this Bill to put the provisions of the Act on the same footing as the provisions of the Indian Stamp Act, namely, power has been sought for the State Government, so that it can, in proper cases, remit or exempt payment of fees in respect of registration of documents and other matters.

The motion of the Hon'ble Satyendra Kumar Basu that the Indian Registration (West Bengal Amendment) Bill, 1955, as passed by the Assembly, be taken into consideration, was then put and agreed to.

Clauses 1 to 3.

The question that clauses 1 to 3 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Satyendra Kumar Basu: Sir, I beg to move that the Indian Registration (West Bengal Amendment) Bill, 1955, as settled in the Council, be passed.

The motion was then put and agreed to.

[9-25—9-30 a.m.]

The Bengal Nurses (Amendment) Bill, 1955.

The Hon'ble Dr. Amulyadhan Mukharji: Sir, I beg to move that the Bengal Nurses (Amendment) Bill, 1955, as passed by the Assembly, be taken into consideration.

The Bill is a very simple one. There is a Nursing Council which controls the education and examination of our girls who undergo training in nursing. Two institutions, namely, Nilratan Sarkar Medical College Hospital and Bejoy Chand Hospital at Burdwan, although they train a very large number of girls, have no representation in the Council. Therefore, we have provided for their representation to this Council by raising the number of members from 17 to 20. These are the provisions of the amending Bill which I have brought forward for consideration of this House. With these words, Sir, I commend the Bill for acceptance of the House.

The motion was then put and agreed to.

Clauses 1 and 2.

The question that clauses 1 and 2 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Dr. Amulyadhan Mukharji: Sir, I beg to move that the Bengal Nurses (Amendment) Bill, 1955, as settled in the Council, be passed.

The motion was then put and agreed to.

The Cattle-Trespass (West Bengal Amendment) Bill, 1955.

The Hon'ble Iswar Das Jalan: Sir, I beg to move that the Cattle-Trespass (West Bengal Amendment) Bill, 1955, as passed by the Assembly, be taken into consideration.

This Bill seeks to provide in section 24 that offences committed will be cognisable and not compoundable. It also increases the punishment by raising the amount of fine from Rs. 50 to Rs. 200. This is made in pursuance of a decision of the Ministry of Agriculture that the cattle do sufficient damage to agriculture and to prevent such things this amending Bill is being put before the House.

Sj. K. P. Chattopadhyay: Is it applicable in municipal area?

The Hon'ble Iswar Das Jalan: It extends to the whole of India, if it is not excluded from any particular area.

The motion of the Hon'ble Iswar Das Jalan that the Cattle-Trespass (West Bengal Amendment) Bill, 1955, as passed by the Assembly, be taken into consideration was then put and agreed to.

Clauses 1 to 4.

The question that clauses 1 to 4 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Iswar Das Jalan: Sir, I beg to move that the Cattle-Trespass (West Bengal Amendment) Bill, 1955, as settled in the Council be passed.

The motion was then put and agreed to.

The West Bengal Land Reforms Bill, 1955.

The Hon'ble Satyendra Kumar Basu: Sir, I beg to move that the West Bengal Land Reforms Bill, 1955, as passed by the Assembly, be taken into consideration.

This Bill seeks to supplement the West Bengal Estates Acquisition Act by which the outmoded zemindary system was abolished and all intermediate rights and interests in land were acquired. It was an essential preliminary to bring about a radical change in the agrarian structure for securing the maximum social and economic benefits to the people. Our fundamental objective of land reforms is to distribute ownership of lands so as to subserve the best interest of the community, to increase efficiency of production, and to eliminate any scope for exploitation of one class by another. The distribution of ownership is to be so devised as to leave no room for accumulation of lands in a few hands or for any large individual farming by

exploitation of labour. Land will have to be distributed on a rational basis and will be given to the landless or to those who own less than a minimum basic holding, preference being given to those among them who form themselves into a co-operative farming society as by that arrangement alone petty holdings may be economically cultivated.

Every *raiyyat* shall be made the owner of his holding and this right of ownership shall give him a new status which will provide the necessary incentive for more effective cultivation. But this right of ownership shall necessarily entail certain economic duties and responsibilities. A *raiyya* shall not be allowed to misuse the land which is a national asset, nor shall he be permitted to avoid his economic duties in relation to the land he holds.

An outstanding evil in our agrarian system is the excessive subdivision and fragmentation of holdings which is primarily responsible for making agriculture an unproductive enterprise. The pressure of population, the [9-30—9-35 a.m.]

unrestricted right of transfer and the operation of the laws of inheritance have combined to make the holdings uneconomic and to break them up into a number of tiny fragments. In any scheme of land reform nothing can be more vital and important than the measures for consolidation of holdings and for prevention of fragmentation. It is, therefore, necessary to prevent formation of fragments by fixing, having regard to local conditions, a minimum area of land below which no subdivision shall be permitted.

Yet another important matter in regard to land policy is the question of *bargadars* who form a substantial proportion of the agricultural population. Although landlordism has been abolished, Government feel that in the present context of the agricultural economy of our country it is not feasible outright to do away with the *barga* system of cultivation. If the rights of the owners of lands were acquired so as to bring the *bargadars* in direct relationship with the State and to make them owners of the land they cultivate, it would deprive an equal number of persons of their lands. They in most cases are as much dependent on the produce of the lands as the *bargadars* themselves. On the other hand, if the owners were given a free hand to oust the *bargadars* at their will, the inevitable result would be an increase in the number of the landless. In such a situation there could be no other alternative but to maintain the *barga* system with such safeguards as are necessary in the interest of both the owner and the *bargadar*.

A *raiyyat* shall not be allowed without any reasonable cause to use any land for any purpose other than agriculture or to keep any land out of personal cultivation for a period of three consecutive years or more or to let out any land of his holding. This shall not, however, prevent the *raiyyat* from cultivating any part of his holding by a *bargadar*.

A *raiyyat* has been given almost unrestricted right of transfer as an incident of the right of ownership. This will ensure to him the full market value of his holding. But the transferee's right will be liable to be pre-empted by any co-sharer *raiyyat* of the holding or by any adjoining *raiyyat*. This provision has been made for encouraging consolidation of holdings which is so essential for effective cultivation.

Certain restrictions on alienation of land by Scheduled Tribes have been provided in the Bill. Similar provisions also exist under the Bengal Tenancy Act. These measures are considered necessary in the interest of these backward people so that lands may not freely pass out of their hands to other persons not belonging to a Scheduled Tribe.

For the purpose of preventing fragmentation of holdings powers have been obtained for the State Government to specify an area which in its opinion is the minimum unit for effective cultivation in the interest of agricultural production as the standard area for different localities and for different classes of land. A provision has also been made that there should be no partition which would result in any share being less than the standard area.

A rational system of assessment of land revenue payable by the *raiyats* has been provided in the Bill. This will take into consideration the average yield of the land and its value during a period of 20 years as also the size of the holdings. The revenue rate for any class of land shall not exceed in the case of lands growing paddy one-fifth of the value of the yield per acre and in the case of lands growing other crops one-tenth of the value of the yield per acre, while in respect of land not used for growing any crop, the rate will be 2 *per centum* of the market value of such land. The actual revenue payable will be proportion or percentage of the revenue rate. The assessment will ordinarily operate for 20 years. The State Government will have power to revise the revenue rate within that period in certain circumstances.

A *raiyat* making payment of revenue within the prescribed period shall be entitled to a rebate of 5 per cent.

A provision has been made that the *raiyat* shall on an application made by him be allowed to pay off the arrears by such instalments as may be prescribed.

Suitable provision has been made for consolidation of holdings.

[9-35—9-40 a.m.]

A provision for formation of Co-operative Farming Society has been made with a view to securing better production by more effective cultivation.

A Co-operative Farming Society established under the Act shall be entitled to such concessions and facilities from the State Government as may be prescribed—including (1) reduction of revenue, (2) free supply of seeds and manure for the first three years and thereafter at concessional rates, (3) technical advice by Government experts, (4) financial assistance and (5) arrangements for better farming.

The principles for distribution or settlement of lands which may be at the disposal of the State Government have been embodied in the Bill. These lands shall be settled with persons who are residents of the locality, who intend to bring the land under personal cultivation and who own no land or own less than 2 acres of land, preference being given to those among such persons who will form themselves into a Co-operative Farming Society. No premium shall be charged for such settlement.

These are the principal provisions of the Bill. Others are more or less ancillary to them and I think it is needless for me to detail them.

Sir, I commend my motion for consideration of the House.

Dr. Monindra Mohan Chakrabarty. Mr. Chairman, Sir, I would have liked to welcome the Hon'ble Minister for bringing this Bill before the House had I been confident of the fact that the purpose for which the Bill is going to be enacted would be served by this particular measure. Sir, if I may be pardoned for drawing an analogy, I may say that this Bill may be likened to the famous Lenz law of electro-magnet induction that

induces current in such a direction that the current stops the motion which tend to produce it. The Bill is something like that. The Bill seeks to do something but the method prescribed for this measure is such that it will tend to obstruct that object.

Sir, I feel that the Government has lost an opportunity in making it once for all a vehicle or a medium for lasting solutions. On the Minister's own admission elsewhere there were in 1951 1.2 owners in each of the 32,000 families owning more than 25 acres—that is, 38,000 individual owners would be entitled to retain the ceiling of 25 acres of land or a total of 950,000 acres, leaving a balance of 720,000 acres or, as the Minister has said, there will be in reality 640,000 acres for redistribution. According to another estimate after giving allowance for *debutter*, trust properties, etc., the quantity of land available for distribution would be somewhere near 400,000 acres. Even admitting the availability of the amount of land as stated by the Hon'ble Minister, the purpose of the Bill will be defeated as the real peasants who are landless and for whom availability of land is not only a material but also a psychological necessity, will have very little scope for getting land if these ceilings are adhered to and the bulk of the land is kept in the hands of persons who in reality would be the replica of the old intermediaries. The inherent right of the tillers to land has been denied in this Bill and loopholes have been provided carefully with the help of which the middle-class owners would be able to take away land from the *bargadars*—by all sorts of pleas—they might plead that they would cultivate it themselves—but there is a provision that they can have it done by their own labourers and so on; so the scope for evicting the *bargadars* is there. It is, therefore, seen that the benefits given to the *bargadars* in the form of safeguards against eviction have been snatched away; that the poor tillers would be evicted automatically as the principle of distribution would entail the distribution to the highest bidders. If the Bill be enacted in the present form, most of the land available for redistribution would also go to the *benamdars* of the *jotedars* and *zemindars* through various loopholes. It has been brought to our notice that only one *zemindar* of Midnapore has grabbed about 25,000 acres in such a manner. It is also to be noted that mostly the land would go to those who were or are not directly connected with agriculture. That is a very important point.

There is no indication of agricultural reform in its proper perspective.

[9-40—9-45 a.m.]

Unless these points are taken note of, the Bill instead of being what it ought to be would be another addition to these measures which are full of sound and fury but signify nothing.

Sir, it is regrettable that no proper principle of distribution has been formulated. Assuming even that the quantity of land for distribution could not be increased, the principle should have been first to judge the merit of the case by taking account of their other means, the guiding principle being priority to those who have no other means but agriculture leaving aside those, in the first instance, who have some other means of subsistence. Sir, I want to emphasise this point, when you want to distribute land, when you want to provide for that psychological necessity, it is inevitable that the proper course should have been to give priority to those who have no other means that is to say, supposing there are two persons—one person has some means, say a small shop or something else, so he has an additional means of subsistence, and another man who is landless, would have been inclined to give priority to that man who has no other means of subsistence. But under the conditions of the Act, I do not think

it would be possible to distribute land in that manner. Sir, it is also very strange that Government help has been promised only to co-operatives and not primarily to the tillers. Even assuming that inducement to co-operative system is necessary, it is feared that the big *jotedars* by forming co-operatives amongst themselves would get all the extra facilities offered by the Government, leaving the tillers as they are. The proper attitude should have been to give all such aid to the real tillers also, and by providing proper guidance, financial and marketing facilities, to make them realise the value of the desirability of improving production in their land.

Sir, I would like to draw your attention to the fact that although we know that a holding of minimum two acres is necessary for a proper cultivation, it has been proved in other countries where the pressure on land is very great that even if small holdings, say, of two acres are brought under improved cultivation with the help of modern scientific method, it is possible to increase the production. Sir, if we could have provided that by promising aid to these small cultivators, by giving them the guidance, the financial help, the loans, the manures and such other things, if we could have provided these things, they would themselves realise the difference and ultimately they could be induced to join the co-operatives. Under the present system most of the aid is promised to the co-operatives. What are going to be these co-operatives? These co-operatives would be in the first instance co-operatives of those big landholders and others who by evading the provisions of the Act would get into these co-operatives. It is, therefore, very very urgent that it should have been provided in the Bill that aid in the form in which it is promised to the co-operatives should have been also promised to the small cultivators, but there is no such indication in this Bill. Sir, Government in these cases by the provision of demonstration farms, etc., could foster such spirit among the small cultivators. The co-operatives of a few big landholders joined together and getting all the help from the State would leave the tillers in the same misery and apathy and would lead ultimately to frustration.

[9-15—9-50 a.m.]

Sir, there is another point to which I should like to draw the attention of the Minister. They are fixing some revenue rates. Suppose the Government did not fix such rates and Government did not take revenue in that form—because in order to realise its revenue we find in a later statement the whole State is going to be divided into some seven to eight thousand blocks and in each block there will be quite a few officers and the cost of realisation of this revenue will be enormous when compared to the revenue realised formerly by the *zemindars*. If the Government wanted to enthuse the people, they could have done it in a revolutionary spirit by remitting all such revenues, by concentrating on other taxes on agricultural income, and so on, and perhaps the money that could have been saved by proper enforcement of the sales tax could have been enough to cover these expenses. Sir, these are the points which I would like to draw the attention of the Minister to.

Sir, another point to which I would like to draw his attention is that he has kept this Bill from out of the scope of the High Court. I imagine that that has been done in order to settle the things locally and to reduce the number of such petitions to the High Court, or something like that. In reality that would not be practicable, first of all, because there will be cases under Article 226 or 227 of the Constitution about infringement of fundamental rights, and so on. In recent years the number of these cases have increased quite a lot. And then about the desirability of keeping the

High Court out, I think it is recognised now that the adjudication, the awards, the interpretations of these High Courts, the judiciary, actually fill the gap, the lacuna, that may be left in the legislation. I feel, Sir, that the High Court should be given scope even in this Act.

I want to emphasise at the end that if the purpose of the Bill is to give land to the tillers, is to revolutionise the land structure, then the construction of the Bill will have to be changed thoroughly.

With these words, Sir, I leave the Bill for the consideration of the House.

[9-50—9-55 a.m.]

Janab Abdul Halim:

মিঃ চেয়ারম্যান, স্যার, মাননীয় রাজস্বমন্ত্রী শ্রীসত্যেন্দ্রকুমার বসু মহাশয় বহু প্রতীক্ষিত ভূমিসংস্কার বিলটি অনুমোদনের জন্য আমাদের সামনে উপস্থাপিত করেছেন। ভূমিসংস্কার বিলকে একটা বিপ্লবাত্মক বিল হিসাবে জাহির করা হয়েছে। কিন্তু আমাদের মতে এই ভূমিসংস্কার আইনে পশ্চিম বাংলার কৃষকদের মূল সমস্যা—জমি বন্টনের সমস্যা—তার কোনো বিপ্লবী সমাধান দেখতে পাচ্ছি না।

আমি এই বিলটির আলোচনা প্রসঙ্গে বলতে চাই যে, আমাদের মত কৃষিপ্রধান দেশে জাতির সমৃদ্ধি নির্ভর করে কৃষক সমাজের মঙ্গলের উপর। কৃষকরাই দেশের জনসংখ্যার সব চাইতে বেশী অংশ। যতক্ষণ পর্যন্ত কৃষকসমাজের দুঃখ দুর্দশা, দারিদ্র্য দূর করার ব্যবস্থা না হবে, তাদের ক্রয়ক্ষমতা বৃদ্ধি না পাবে, সমাজজীবনের অন্যান্য ক্ষেত্রের বিকাশের সাথে সমান তালে কৃষকের অবস্থা এবং জীবনের মান উন্নত না হবে, ততদিন পর্যন্ত শিল্পজাত দ্রব্যের কাটতির আভ্যন্তরীণ বাজারের পরিধি বাড়বে না। যতদিন পর্যন্ত শস্যোৎপাদন বৃদ্ধি না হবে ততদিন পর্যন্ত রাজ্যের সামগ্রিক উন্নতি ও বিকাশের পরিকল্পনাগুলিও সম্পূর্ণভাবে কার্যকরী হবে না।

দীর্ঘদিনের সাম্রাজ্যবাদী এবং সামন্ততান্ত্রিক শাসনে বাংলার কৃষিব্যবস্থা এমনভাবে ভেঙে পড়েছে এবং কৃষকদের অবস্থা এত শোচনীয় হয়েছে যে, প্রকৃত ভূমিসংস্কার অত্যন্ত জরুরী হয়ে উঠেছে। কৃষকদের উপর সাম্রাজ্যবাদীও সামন্ততান্ত্রিক জুলুম, অতিরিক্ত খাজনা আদায় ও অত্যাচারের কথা সবাই অবগত আছেন। ব্রিটিশ শোষকরা আমাদের দেশের ভূমিব্যবস্থার উপর বহুবিধ “নিকট পরীক্ষা” চালিয়েছেন। ইংরেজ শাসনে জমির শস্যোৎপাদন হ্রাস পেয়েছে। জমির শস্যোৎপাদনের ৭৫ ভাগ পর্যন্ত অনেকক্ষেত্রে খাজনা বাবত কৃষকের নিকট থেকে আদায় করা হয়েছে। ব্রিটিশ আমলে বাংলার কুটিরশিল্প ইত্যাদি ধ্বংস হওয়ায় জমির উপর নির্ভরশীল লোকের সংখ্যা বহুগুণ বৃদ্ধি পেয়েছে। কাজেই কৃষকদের দুরবস্থার হাত থেকে বাঁচবার জন্য “প্রকৃত ভূমিসংস্কার” চাই। প্রকৃত ভূমিসংস্কারের জন্য প্রয়োজন হল জমিদার, মহাজনদের জমি নিয়া জমিহীন ও গরীব চাষীদের মধ্যে বিনা মূল্যে বন্টন করা। কৃষকদের জমিতে বাধাহীন মালিকানা প্রতিষ্ঠা করা। খাজনা ও দেনা প্রভৃতির বোঝা হতে মুক্তি দিয়ে তাদের আর্থিক অবস্থার উন্নতি করা। এইভাবে গ্রাম্য উৎপাদনীশক্তিকে বাধামুক্ত করে কৃষি ও শিল্পের ব্যাপক বিকাশের পথ উন্মুক্ত করা। কিন্তু প্রস্তাবিত বিলে তার কোন সমাধান হবে না। জমিদার জোতদারদের ২৫ একর কৃষি এবং ২০ একর অকৃষি জমি এবং বাগান, মেছোঘেরী প্রভৃতি নানা দফার সীমাহীন জমি রাখতে দেওয়ার পর এই ভূমিসংস্কার বিলে প্রকৃত ভূমিসংস্কার হবে না। বরং কৃষকদের উপর রাজস্বের বোঝাই বৃদ্ধি করা হচ্ছে। ইতিমধ্যে অনেক জমি বেনামী হস্তান্তরিত হয়েছে, ছোট ছোট ফ্রাগমেন্টসনের নামে ছোট ছোট জমির মালিক হবে। তাছাড়া সেটেলমেন্টের সময় আমরা দেখেছি, যে জমি বেনামীতে হস্তান্তরিত হয়েছে বা জমি বিক্রয় করে ফেলেছে। প্রত্যেক পরিবারে ২৫ একর জমি রাখতে দেওয়া হয়েছে, কিন্তু বেনামীতে তারা অনেক বেশী জমি রাখছে। এসবের জন্য বন্টনযোগ্য জমি বেশী পাওয়া যাবে না।

আমরা জানি পশ্চিমবঙ্গের কৃষির উপর নির্ভরশীল ১ কোটি ৪১ লক্ষ লোক নিয়ে ৩০ লক্ষ পরিবার ১ কোটি ১৭ লক্ষ একর চাষযোগ্য (আবাদী) জমির উপর নির্ভরশীল। এই ৩০ লক্ষ

পরিবারের মধ্যে ১৪ লক্ষ কৃষি, মজদুর, ভাগচাষী (বর্ণাদার) পরিবারের (লোকসংখ্যা ৬০ লক্ষ) আদৌ জমি নেই এবং বাকী ১৬ লক্ষ পরিবারের মধ্যে সাড়ে পাঁচ লক্ষ পরিবারের জমির পরিমাণ ২ একরের কম। সরকার যদি ভূমিসংস্কার আইনের দ্বারা এইভাবে কৃষকদের জমিতে মালিকানা দেওয়ার প্রকৃত পথ বলে মনে করে যান, তাহলে আইনটি সম্পূর্ণ ব্যর্থ হবে। সরকারী হিসাবে দেখা যায় যে, ১ কোটি ১৭ লক্ষ একর চাষযোগ্য জমির মধ্যে মাত্র ৬ লক্ষ একর জমি বন্টনের জন্য পাওয়া যাবে। বেনামীতে ও অন্যান্যভাবে অনেক জমি হস্তান্তরিত হচ্ছে, কাজেই সরকার খুবই কম জমি পাবেন। অথচ পশ্চিম বাংলায় ভূমিহীন কৃষক পরিবারের সংখ্যা ১৪ লক্ষ এবং অল্প জমি আছে এমন কৃষক পরিবারের সংখ্যা ৫ লক্ষ। আমরা ৪০ লক্ষ একর জমি বন্টনের দাবী করেছি, তা মোটেই অযৌক্তিক নহে।

সরকার যুক্তি দিয়ে থাকেন যে, জমির স্বল্পতাই প্রকৃত জমি সংস্কার ও কৃষকদের হাতে জমি পুনর্বন্টনের পথে প্রধান বাধা। কিন্তু আমরা জানি, চীনের গণতন্ত্র গত ৪।৫ বৎসরে কিভাবে ভূমিসমস্যার সমাধান করেছে।

[9-55—10 a.m.]

চীনে মাথা পিছু জমির পরিমাণ .৫ একর, পশ্চিমবঙ্গে মাথা পিছু .৮২ একর। অথচ চীনে মোট ১১ কোটি ২১ লক্ষ একর জমির শতকরা ৫০ ভাগ কৃষকদের মধ্যে পুনর্বন্টিত হয়েছে। আর পশ্চিমবঙ্গে মাত্র শতকরা ৫ ভাগের কথা বলা হয়েছে, ২ একরের কম জমি একটা পরিবারের জীবনধারণের পক্ষে নিতান্ত অপര്യാপ্ত। ৫ একর জমি ইকনমিক হোল্ডিং হিসাবে ধরলে এক ঘষ্ঠাংশ কৃষক জনসংখ্যার এই ধরনের জমি আছে।

এই অবস্থায় কৃষি ব্যবস্থার উন্নতি হতে পারে না। সর্বোপরি কৃষকের খাজনা, ট্যাক্স, ঋণ, উপশ্রম শস্যের কম বাজার দর, কৃষকদের ধ্বংসের পথে নিয়ে যাচ্ছে। বর্তমান বিলে তার কোন সমাধান নেই, বরং বহু বিঘোষিত খাজনা হ্রাসের প্রতিশ্রুতি কংগ্রেস সরকার ভুলে গিয়ে ব্রিটিশ আমলের ২ কোটি ১০ লক্ষ টাকা রাজস্বকে ৮ কোটি টাকায় পরিণত করছেন।

এই বিলের দ্বিতীয় ধারার সংজ্ঞা নির্ধারণে পার্সোনাল কালটিভেশন—“নিজ চাষ”এর যে সংজ্ঞা দেওয়া হয়েছে, তাতে প্রচুর ফাঁকি রয়ে গেছে, বলা হয়েছে যে, নিজের জমি নিজের স্বার্থে নিজের বা পরিবারের লোকের শ্রম দ্বারা অথবা নগদে বা ফসলে বা উভয়তঃ দেয় মজদুরীতে নিযুক্ত চাকর বা মজদুর দ্বারা চাষ করাইলে, ‘নিজ চাষ’ বুঝাইবে। এই ব্যাখ্যার সুযোগে অকৃষক জমিদার মহাজনেরা পর্যন্ত চাষের কার্যে কোনো অংশ গ্রহণ না করে, এমন কি মজদুর কবলিয়ায় লিখিয়ে, আসলে বর্ণাদার দ্বারা চাষ করাইয়া ও নিজ চাষের আওতায় পড়িবে। এইরূপ “নিজ চাষ” করিতে চাইলে, বর্তমান আইন অনুযায়ী অকৃষকেরা নতুন করে জমি কিনতে পারবে, এমন কি সরকারের কাছ থেকে উম্বস্ত জমিও বন্দোবস্ত নিতে পারবে। এইভাবে নিজ চাষের নামে অবোধে বর্ণা উচ্ছেদ চলতে থাকবে।

বর্ণাদাররা অত্যন্ত অসহায় অবস্থায় অপরের জমিতে পরিশ্রম করতে বাধ্য হয়। বর্ণাদার আইনের, এ্যাক্টএর ব্যবস্থাগুলি সামান্য পরিবর্তন করে, প্রস্তাবিত বিলে অন্তর্ভুক্ত করা হয়েছে। কিন্তু তাহা বর্ণাদারদের কোন রকম সুবিধা বা নিরাপত্তা দিবে না। বর্ণাদারদের অসহায় অবস্থার দরুন জমিদারী ক্রয় আইন পাস হবার পর থেকে বর্ণাদারগণ ব্যাপকভাবে জমিদার জোতদারদের উচ্ছেদের জঘন্যতম শীকারে পরিণত হয়েছে। বর্তমান বিলে ভাগের ব্যাপারে ও চাষের প্রয়োজনীয় লাগল, গরু, বীজ ও সার জমির মালিক দিলে, আধাআধি ভাগ হবে, কিন্তু অন্যান্য ক্ষেত্রে, অর্থাৎ বর্ণাদার লাগল, গরু, বীজ প্রভৃতি সব দিলে সেক্ষেত্রে তে-ভাগার নীতি আইনে স্বীকার না করে ৬০ঃ ৪০ করা হয়েছে।

গ্রামাঞ্চলে চাষীদের উচ্ছেদের সমস্যা এক ভয়াবহ সমস্যা হয়েছে। ২২।২৩ বৎসর ধরে যারা জমি চাষ করেছে, তাদেরও উচ্ছেদ করা হচ্ছে। পশ্চিমবঙ্গে কৃষি অর্থনীতিতে সর্বাপেক্ষা দুর্বল সংযোগ, এই ভাগচাষ প্রথা। সেইজন্য বারবার ভাগচাষী আন্দোলন গড়ে উঠেছে। কৃষকরা তে-ভাগার লড়ায়ে প্রাণ বলি দিয়ে শহীদ হয়েছেন। তে-ভাগার দাবী ন্যায় সঙ্গত

দাবী। বর্গাদার আইনে প্রকারান্তরে হলেও, ইহা নীতি হিসাবে স্বীকৃত ছিল। অসহায় বর্গাদারেরা যখন বর্তমানে নানা অজুহাতে এমন কি বে-আইনে ব্যাপকভাবে উচ্ছেদের আঘাতে বিপর্যস্ত হচ্ছে, ভয়ে ভয়ে কঠোর সর্তে চাষ করিতে মজুর কবুলিয়াত লিখে দিতে বাধ্য হচ্ছে, তখন উচ্ছেদের হাত থেকে তাদের রক্ষার জন্য কার্য্যকরী ব্যবস্থা করা একান্ত প্রয়োজন ছিল। ভাগচাষীদের নিরাপত্তার ব্যবস্থা করা উচিত ছিল, কিন্তু ভূমিসংস্কার বিলে তাহা করা হয় নি।

নিজ চাষের নামে খুশীমত বর্গাদার উচ্ছেদ চলবে। বিগত দুই তিন মাসে উচ্ছেদ ক্রমেই বেড়ে চলছে। গত কয়েক মাসে উচ্ছেদ ব্যাপারে কয়েকজন কৃষক নিহত হয়েছে। জমিদার ও মহাজনদের জুড়ুম সমানেই চলছে। উচ্ছেদ বন্ধের কোন ব্যবস্থা বা বিধান, বর্তমান বিলে নেই। বাংলাদেশের বিভিন্ন জেলায়, সুন্দরবন অঞ্চলে, মেদিনীপুর জেলায় বর্গাদাররা খুন, জখম ইত্যাদি হয়েছে।

[10—10-5 a.m.]

জমি একত্রীকরণ ও সমবায় সম্পর্কে বর্তমান বিলে ব্যবস্থা আছে যে, টুকরা জমি একত্রীকরণের নামে সরকার নিজ উদ্যোগে একটি এলেকার সমস্ত জমি দখল করতে পারবেন। তবে ঠু বা তার বেশী সংখ্যক রায়ত রাজী না হলে সরকারের সিদ্ধান্ত কার্য্যকরী হবে না।

আমরা মনে করি, জমি একত্রীকরণের ব্যাপারকে আইনের দ্বারা বাধ্যতামূলক না করে স্বেচ্ছামূলক করলে ভাল হতো। ৭ কিংবা ততোধিক রায়ত রাজী হলে কৃষি সমবায় গঠিত হবে। যারা অংশীদার হবেন, তাদের পৃথক মালিকানা না থেকে তা সমবায়ে বর্তাবে। তারা নিজে চাষের জন্য কোন জমি পৃথক রাখতে পারবে না, সমবায়ের শেয়ার অন্য অংশীদার বা সেই এলেকার বাসিন্দা কোন লোককে বিক্রয় করা যাবে। সমবায় ভেগে দিলে রেভিনিউ অফিসার যথাসম্ভব পূর্বের মালিকদের জমি ফেরৎ দেবার ব্যবস্থা করবেন।

মোটামুটি সমবায়ের এমন বাধ্যতামূলক বা কঠোর করা হয়েছে যে, এতে কৃষকদেরও সমবায় আন্দোলনের অসুবিধা হবে।

ইহাকে সম্পূর্ণ স্বেচ্ছামূলক করা এবং কৃষকদের মালিকানা বজায় রেখে স্বেচ্ছামত জমি নিয়ে গঠন করতে দেওয়া উচিত।

সর্বাপেক্ষা বড় কথা, সমগ্র আইনের ব্যাপারে রেভিনিউ অফিসার ও সরকারী আমলাদের সর্বোৎসাহ করা হয়েছে। অন্যায় অবিচারের বিরুদ্ধে কোন কোর্টে বিচার প্রার্থী হওয়ার অধিকার কৃষকদের কেড়ে নেওয়া হয়েছে। নির্বাচিত কৃষক কমিটির বা জনসাধারণের সহযোগিতা গ্রহণের কোন বিধান নাই। সর্বক্ষেত্রেই আমলাতান্ত্রিক ব্যবস্থাকে পাকাপোক্ত করা হয়েছে।

খাজনার ব্যাপারেও সেই একই কথা। কৃষকের খাজনা না কমিয়ে বরং বৃদ্ধি করা হয়েছে। প্রথম দুই একরের খাজনা মুকুব করার পূর্ব সিদ্ধান্ত বাতিল করা হয়েছে।

এই ভূমিসংস্কার বিলে দরিদ্র কৃষক, ভূমিহীন কৃষক, ভাগচাষী বা বর্গাদারদের জমি বাটনের কোন সুদ্রাহা হবে না। অধিকন্তু গ্রামাঞ্চলের কৃষি ব্যবস্থায় নতুনভাবে সংঘর্ষ দেখা দেবে। ক্ষুদ্র ক্ষুদ্র জমির মালিক জমি থেকে উৎখাত হবে। ফ্রাগমেন্টেসনএর নামে উত্তরাধিকারী ছোট ছোট জমির মালিকগণ ক্ষতি থেকে বঞ্চিত হবে। প্রায় লক্ষাধিক উর্বর প্রজা, কোর্ফা প্রজা, ঠিকা চাষী, এবং নানা নামের আন্ডার-রায়ত সম্বন্ধে কোন বিধান এই বিলে নেই। প্রজাস্বত্ব আইনে এদের যেটুকু সামান্য অধিকার আছে, তার সুযোগ পাওয়াতো দূরের কথা, বর্তমানে তা হতেও কার্য্যতঃ পাইকারীভাবে বঞ্চিত হচ্ছে, ব্যাপকভাবে উচ্ছেদ হচ্ছে। তাদের অধিকাংশের দলিল না থাকায় বা দাখিলা না পাওয়ায় বা দলিলপত্র না থাকার অজুহাতে জরীপে এদের নাম রেকর্ড করা হয় না। এই বিলে এদের উচ্ছেদ থেকে রক্ষা, এদের স্বত্ব ও অধিকার দৃঢ় ও স্থায়ী করার জন্য কার্য্যকরী বিধান করা দরকার ছিল।

উপসংহারে আমি বলতে চাই যে, এই ভূমিসংস্কারের বিলকে কোনমতেই একটা প্রগতিশীল বা বিশ্লবাত্মক ভূমিসংস্কার আইন বলা চলে না। বাস্তব অবস্থাই এর প্রমাণ দিবে।

8j. Satya Priya Roy: Mr. Chairman, Sir,

মাননীয় রাজস্ব মন্ত্রীমহাশয় যে বিল আমাদের সামনে উপস্থিত করেছেন, তাঁর কথায় আমার মনে হচ্ছিল, এ পর্বতের মূষিক প্রসব ছাড়া আর কিছুই নয়। বহু ধর্নি তুলে সরকার পক্ষ থেকে ঘোষণা করা হয়েছিল যে, বাংলার কৃষি জগতে একটা বিশ্বাস সৃষ্টি করা হবে জমিদারের অবসান করার পর ভূমিসংস্কার আইন করে, কিন্তু তাঁর নিজের উক্তি থেকে পরিষ্কার বোঝা যাচ্ছে, মন্ত্রীমহাশয় নিজেও স্বীকার করেছেন, মাত্র ৬ লক্ষ একর জমি পাওয়া যাবে ভূমিহীনদের মধ্যে বন্টন করার জন্য। তার কারণ হল, আজ যে উদ্দেশ্য নিয়ে এই জামদারী অবসান বিল আনা হল, যে উদ্দেশ্য নিয়ে এই ভূমিসংস্কার বিল আনয়ন করা হয়েছে, সেই উদ্দেশ্য ও নিষ্ঠা রাখতে পারেন নি। সবচেয়ে যে বড় কারণে এই বিল ব্যর্থ হয়ে গিয়েছে, সেটা হচ্ছে ২৫ একর জমি একজনকে রাখতে দেবার অধিকার দেওয়া হচ্ছে।

[10-5—10-10 a.m.]

আমাদের গড়ে দুই একর জমিও কৃষির হাতে নেই, সেই জায়গায় বিশেষ ব্যক্তিকে ২৫ একর জমি দিয়ে দেবার এক কারণ থাকতে পারে, তা বদ্ব্যপ্তে পারি না। এখানে ২৫ একরের ব্যবস্থা না করে অন্ততঃ ১০ একর যদি সিলিং ঠিক করা হত, তাহলে যে জমি আজকে বন্টনের জন্য পাওয়া যাচ্ছে, তার দুই গুণ জমি বন্টনের জন্য পাওয়া যেত। এবং তাহলে এই ভূমি-সংস্কার বিল কিছুটা স্বার্থক হত। তাছাড়া শুধু যে ২৫ একর জমি রাখবার ব্যবস্থা হয়েছে তা নয় আজ এই জমি সরকার পক্ষ থেকে বন্টনের জন্য কোন সূচনানীতিও এই বিলের মধ্যে নেই। এখানে সরকারের হাতে যে জমি আসবে, সেই জমি থেকে বর্গাদাররা উচ্ছেদ হয়ে যাবে। এই জমি পুনর্বন্টন হবার সময় এইসব বর্গাদারদের এই জমি পাবার অগ্রাধিকার থাকবে, এই বিলে সে কথা স্বীকৃত হয় নি। ফলে দরিদ্র বর্গাদাররা যেভাবে তাদের পরিবার প্রতিপালন করছিল, এই বিলের দ্বারা তা থেকেও তারা উচ্ছেদ হচ্ছে—এদের জীবিকার যেটুকু সংস্থান ছিল, তা থেকে এদের বঞ্চিত করা হচ্ছে। এই বিলে বর্গাদারদের অধিকার স্বীকৃত হয় নি। আজকে বর্গাদার গরু, লাগল, বীজ দিয়ে উপমুগ্ধ ফসলের ৬০ ভাগ পাবে, আর সেই জায়গায় যে জমির মালিক, যে বংশানুক্রমে এই জমি ভোগ করে এসেছে বা দখল করে এসেছে, সে পাবে ৪০ ভাগ—এটা নিতান্তই অন্যায়। এই পশ্চিম বাংলায় তে-ভাগা আন্দোলন কৃষকদের মধ্যে চলেছে এবং পশ্চিমবঙ্গে যারা বিবেক সম্পন্ন ব্যক্তি রয়েছেন, তারাই এই কৃষকদের তে-ভাগার দাবীকে স্বীকার করেন। কিন্তু আজকে এই বর্গাদারদের দুই ভাগ ফসলের দাবী পর্যন্ত এই বিলের মধ্যে স্বীকৃত হয় নি। বিশেষ করে আজকে বর্গাদারদের সবচেয়ে বেশী দুর্ভাবস্থা হয়েছে, কারণ যাদের ২৫ একরের বেশী জমি ছিল, তারা বোনামীতে তা হস্তান্তর করে দিয়েছে। এবং সেই সমস্ত জমি থেকে বর্গাদাররা উচ্ছেদ হচ্ছে। এই আইনের মধ্যে ব্যবস্থা রয়েছে যে, নিজস্ব প্রয়োজনে জমির মালিকের জমির প্রয়োজন হলে, তখন সে বর্গাদারকে উচ্ছেদ করতে পারবে, এই অধিকার তার থাকবে। এই যে একটা সূক্ষ্ম ছিদ্র রয়ে গেল, এই ছিদ্র পথে কালনাগ লৌহ বাসরে, প্রবেশ করবে। জমিদারদের বর্গাদারকে নানাভাবে ভয় দেখাবার সুযোগ তাদের হাতে থাকবে। আমি জানি যে, তাদের কাছ থেকে এমন সমস্ত কবুলতনামা লিখিয়ে নেওয়া হচ্ছে যে, সে বর্গাদার নয়, সে শুধু জমিতে মজুরী খাটে। এইভাবে যদি সে কবুলতনামা না লিখতে রাজী হয়, তাহলে জমির মালিক তার নিজের প্রয়োজনে জমি দরকার, এই বলে উচ্ছেদ করে দেবে, এইরকমভাবে বর্গাদারকে ভয় দেখাচ্ছে। এখানে বলা উচিত ছিল যে, বর্গাদারদের হাতে এই অধিকার থাকবে যে, জমির মালিকের প্রয়োজন হলেও তাদের জমি কেড়ে নিতে পারবে না।

[10-10—10-20 a.m.]

সেরকম স্পষ্ট ঘোষণা থাকলে ওই যে দুনীতি যা বহুভাবে কৃষিজীবীদের জীবনে প্রবেশ করবে সেটাকে বাধা দেওয়া সম্ভবপর হত। তাছাড়া, এই যে কো-অপারেটিভস গঠন করার কথা উঠেছে এ সম্বন্ধে আমাদের বক্তব্য এই যে এটা সম্পর্কে জনসাধারণের সহযোগিতার উপর নির্ভর করা উচিত ছিল। আমার বন্ধুবর মনীন্দ্র চক্রবর্তী মহাশয় যে কথা বলেছেন যে সমস্ত চাষীদের সরকার পক্ষ থেকে সহায়তা করবার একটা স্পষ্ট প্রতিশ্রুতি এখানে থাকা উচিত ছিল

তাতে আমি সম্পূর্ণ একমত। বাস্তবিক নিরক্ষর কৃষক যারা তারা এই সমবার সমিতির সদস্যোগে বিন্দু মাত্র গ্রহণ করতে পারবে না। যারা অকৃষিজীবী এবং শিক্ষিত তারা এই সদস্যোগে সদস্যোগ সরকারের কাছ থেকে পাবে। ফলে, ভূমি-সংস্কারের উদ্দেশ্য সর্বাঙ্গিক থেকে ব্যর্থ হবে। কাজেই আমি মন্ত্রীমহাশয়কে অনুরোধ করব বিলকে চূড়ান্তভাবে গ্রহণ করার পূর্বে যেসমস্ত সংশোধন এই উপর আনা হয়েছে সেগুলিকে যেন গ্রহণ করেন। যাতে এই বিলের উদ্দেশ্য সার্থক হয় সেদিকে সজাগ দৃষ্টি আশা করি তিনি রাখবেন।

Sj. Mohitosh Rai Choudhuri: Mr. Chairman, Sir, I am extremely surprised to see that this Bill has evoked so much opposition from my friends on the other side. I have studied the land laws and I have also studied very carefully this Bill as well as the Law for the acquisition of estates. I cannot really understand why there has been so much opposition from the other side to this measure. Any rational plan of agrarian reform must, in my opinion, have for its objective the maximum amount of production or yield from land. But this objective should not be sought to be attained by collectivisation of land. Attempt should, in my opinion, be made so to distribute the land among the people as to encourage peasant-proprietorship; and a rational plan of agrarian reform should also make provision for low rent and for prevention of too much fragmentation and also, with the same object, should provide for encouragement of co-operatives. Sir, all these provisions have been included in the present Bill. Surplus land will be distributed among those who will be able to profit mostly from it. To encourage production it has been provided that anyone who will not bring any portion of his land under cultivation or who will neglect cultivation, that portion of his land will be taken away by the State. Provision for low rent has been made to such an extent that the revenue of the *raiyats* will in many cases be reduced to one-third. Sir, the prevention of too much fragmentation has been also provided for. That is the most important thing. Whatever amount of land you might give to an agriculturist, to a *raiyat*, after some time is bound to be divided into small parts—because it will be divided among his heirs and this process will go on to such an extent that ultimately a very small unit of land will come to be possessed by the tiller of the soil; and cultivation of this small unit will not be profitable either to him or to the country. It has, therefore, been provided in this Bill that such fragmentation will be prevented. Not only that, special provision has also been made for consolidation of uneconomic holdings. The objective has been to enhance agricultural yield—production from the land—which as I have already said should be the objective of every rational plan of agrarian reform. With that object in view it has also been laid down that attempts should be made to form co-operatives. I ask the House to carefully distinguish between formation of co-operatives and collectivisation of land. Collectivisation of land will not be suited to the genius of the country, (Dr. MONINDRA MOHAN CHAKRABARTY: Why?) because in Bengal in particular people are individualistic; they would prefer individual ownership, peasant proprietorship, to any scheme of collectivisation. At the same time attempts should be made to encourage consolidation of land and formation of co-operatives with a view to encourage enhancement of yield from the land. This has been made. Sir, some of the provisions about the co-operatives are not, in my opinion, very satisfactory. For instance, it has been laid down that one who will join the co-operative will not have any option to come out of it. Many may disagree with me and say that this provision is necessary. However, I hope in the course of the working of the Bill if these or any other minor defects are discovered they will be rectified. Sir, a great deal of furor has been created over the provision in the Bill giving the maximum amount of 25 acres to the people who have been dispossessed of their land. No *raiyat* will be allowed to possess more than 25 acres of land. It has been however found that from

this provision not many people will profit. Some people, of course, will come to possess the 25 acres of land. But why has this provision been made? [10-20—10-30 a.m.]

In the first place many of these people who will possess this 25 acres of land will have large quantity of this land taken away from them. Many of them again are poor middle-class people. Therefore if we deprive them of this quantity of land, it will be difficult for them to maintain themselves. Sir, another point: 25 acres of land is not very large. If any one has got five or six members in the family—that is the average number in a person's family—then for five or six persons 25 acres of land would not be much. I agree that every one should have been given this 25 acres of land. But Sir, in this mundane world it is not given to us to have everything to our liking. Unfortunately for us the population is increasing at such a rate as makes it impossible for even the best and the most efficient Government in the land to provide them with sufficient land. Sir, it has been asked why give 25 acres to these people if you cannot give the same quantity of land to everybody? My reply to this point has been already given. It is this. Besides that a contrary course will be doing injustice to the people whose properties, whose estates have been taken away by the Government, it will not solve the problem of the poverty of the masses. It is not a good policy to rob Peter to pay Paul. (Dr. MONINDRA MOHAN CHAKRABARTY: How do you ensure justice?) Supposing this 25 acres of land is not given to them, supposing it is reduced to 10 acres, then do you think that this amount of surplus land will be sufficient for the rest of the people who will not have land. It is a mistake to think that the problem of the poverty of the country will be solved by the distribution of land. That is absolutely impossible. Therefore, it would not be wise for us to mainly depend upon distribution of land. At the same time efforts should be made to give as much land to as many people as possible. This has been done in the Bill. (Dr. MONINDRA MOHAN CHAKRABARTY: That is the question) Sir, as it will not be possible to give the land to everybody, therefore whether you wish it or not, *barga* system requires to be retained. Because under this *barga* system some land will be given to the tillers of the soil who will not otherwise have any land of their own. Therefore, *barga* system has been encouraged. Besides, there is another reason why this *barga* system should be retained. That reason is well-known to everybody. In the interior, in the villages there are widows, there are many poor people who by this *barga* system maintain themselves. It is not wise policy, it is not fair to deprive these people of their only source of maintenance. But, Sir, provisions have been made in this Bill so that no one will be allowed to evict a *bargadar* at his sweet will and even when a *raiyyat* has been given the right to take away the land from the *bargadar*, it has been provided that he will not get the entire amount of land. So dispossession of the *bargadar* has been made almost impossible. Then it has been asked why 40 per cent. has been given to the *raiyyats* and 60 per cent. to the *bargadar*. Why not give 33½ to *raiyyats* and 66½ to *bargadars*? Another amendment from the side of my friends provides for 25 per cent.

Mr. Chairman: You need not speak on the amendments at this stage.

8j. Mohitosh Rai Choudhuri: I am making this general observation because that question has been raised from the other side.

Mr. Chairman: Please confine yourself to the Bill.

8j. Mohitosh Rai Choudhuri: My friends have raised a question that this allotment of 40 per cent. to the *raiyyats* and 60 per cent. to the *bargadar* has been unfair. Therefore, I want to show that this is equitable. This is not unfair.

Mr. Chairman: You may speak on this point later on because there are amendments on this.

SJ. Mohitosh Rai Choudhuri: That is all right Sir. Then Sir, my contention is this that this share of 40 per cent. to the *raiya*s and 60 per cent. to the *burgadars* in some cases is not very unfair. It is necessary in the interest of the poor middle-class people. (Dr. MONINDRA MOHAN CHAKRABARTY: You are not helping the Minister by such an argument.) Besides, Sir, there is one other point. For the reason for which co-operatives should be encouraged, as I have said, exactly for the same reason, this unit of 25 acres to some *raiya*s is necessary. This will encourage extensive and more economical cultivation. Some people who have their surplus land taken away by the State will have this 25 acres of land. With this 25 acres of land they will be able to start extensive cultivation. Sir, 75 *bighas* of land is not too much for one to possess. In Bengal every plough to be profitably engaged requires some 15 *bighas*. Therefore, this 75 *bighas* will be necessary only for 5 ploughs with less than which cultivation cannot become really economical and profitable and if this 75 *bighas* can be cultivated in one plot that will lead to the enhancement of agricultural production. For all these reasons, Sir, I think the Bill is very welcome measure and ought to be whole-heartedly accepted. If in course of the working of the Bill when passed some defects are found out that can be rectified afterwards. I cannot for the life of me understand why there has been so much opposition to it from the other side.

[10-30—10-35 a.m.]

SJ. Annada Prosad Choudhuri:

মাননীয় সভাপতিমহাশয়, আমাদের সামনে এই যে বিল উপস্থিত করা হয়েছে, তা বোধ হয় আমি বললে ভুল হবে না যে জমিদারী প্রথা উচ্ছেদ করে আমাদের ভূমি-ব্যবস্থাকে রূপ দেবার জন্যই এই বিলের প্রস্তাবনা। কিন্তু সরকার জমিদারী প্রথা উচ্ছেদ হবে এবং যে জমি চাষ করে সেই কৃষকের হাতে মালিকানা যাবে, এই সব কথা যে উদ্দেশ্যে বলা হয়েছিল আমি সবিনয় মন্ত্রীমহাশয়ের নিকট এই কথা নিবেদন করতে চাই যে বোধ হয় সেই উদ্দেশ্য এই বিলের দ্বারা শুধু যে সফল হবে না তা নয়, তার বিপরীত মনোভাব সৃষ্টি হবে। সেইজন্য আমি তাঁকে অনুরোধ করি এখনও অবস্থা আয়তনের বাইরে যাবার পক্ষে, তারা এই যেসব বিধানের আজ প্রস্তাব এনেছেন, এই বিধানকে যেন পূর্ণাঙ্গ করবার জন্য চেষ্টা করেন।

স্যার, যখন জমিদারী প্রথা ছিল, তখন আমরা সবাই জানি যে প্রজারা যে খাজনা দিত তা জমিদারের কাছে ৩ বছর, ৪ বছর বারিক পড়ত, এবং তারপরে জমিদার সে টাকা আদায় করবার জন্য চেষ্টা করতেন, তার পরিবর্তে এই বিধান হচ্ছে যদি প্রজার খাজনা বারিক পড়ে তাহলে সে খাজনা আদায় করবার জন্য সরকার এতদিন অপেক্ষা করবেন না, তার বহু পক্ষেই সার্টিফিকেট করবার বিধান আছে; এবং সার্টিফিকেট করবার ফলে যদি প্রজার কাছ থেকে খাজনা আদায় না হয় তাহলে তার ঘটিবাটিতে টান পড়বে। জমিদারী প্রথা থাকার সময় প্রজারা যে সূখসুবিধা ভোগ করত সে সূখসুবিধা দূর হয়ে গিয়ে প্রজার যে অবস্থা হবে তাতে প্রজা কখনো সূখী হবে না; জমিদারী প্রথা উচ্ছেদের ফলে জনসাধারণের মধ্যে উৎসাহ সঞ্চার করবার যে চেষ্টা তা কখন সফল হবে না, বরং উলটো ফল হবে। তারপরে, স্যার, আমি জানি জমিদারেরা খাজনা আদায় করবার জন্য প্রায় ১৬ থেকে ১৭ পারশেন্ট টাকা খরচ করতেন, আর আমরা এও জানি যে জমিদারেরা তহসীলদারের মাফে টাকা আদায় করতেন; তারা বেতন পেত খুব কম। আর আজকে যদি ৮ হাজার ল্যান্ড রেভিনিউ ডিপার্টমেন্টের কর্মচারীর দ্বারা খাজনা আদায় করতে হয়, তাহলে জমিদারী প্রথার খাজনা আদায় করবার জন্য যে খরচ হত তার চেয়ে বহুগুণ বেশী খরচ হবে এবং সেই খরচও দিতে হবে রায়তকে। তাই একদিক থেকে যে খাজনা আদায় করা হবে আদায়ের কড়াকড়ির জন্য, তাও যদি আবার ৪ গুণ, ৫ গুণ, ৬ গুণ, বেশী হয়, তাহলে এই জমিদারী প্রথা উচ্ছেদের দ্বারা কৃষকের মনে যে উৎসাহ এবং যে বৈশ্বাসিক

চেতনা জাগ্রত করবার স্বপ্ন আমরা দেখেছি সে স্বপ্ন কি বাস্তবে রূপায়িত হবে? তাই আমি আগেও বলেছি, আবারও বলি যে, যে ৪৥ কোটি টাকা আমরা ভূমিরাজস্ব থেকে পাই যদি আজ এই জমিদারী এবলিশনের ফলে নতুন ল্যান্ড রিফর্ম-এর দ্বারা সত্য সত্যই কৃষকের মনে উৎসাহ সঞ্চার করতে চাই তাহলে এই জমির খাজনা মকুব কোরে দিইয়ে এটা সম্ভবপর ব্যাপার হবে। ৫ কোটি টাকা আয় কমে যেতে পারে কিন্তু স্যার, আমি মন্ত্রীমহাশয়কে অনুরোধ করি যদি তিনি আমার সঙ্গে একমত হয়ে চেষ্টা করেন তাহলে আমি তাঁকে এই আশ্বাস জোর কোরে দিতে পারি যে জমির জন্য যে খাজনা আদায় হয় সেই রাজস্বটা যদি ছেড়ে দেওয়া হয় তাহলে তার ম্বিগুন টাকা একমাত্র সেল্ট্যাক্স থেকেই পাওয়া যায়, এ বিশ্বাস আমার আছে। আমাকে যদি কেউ সুযোগ দেন ত আমি ২।৩ বৎসরের মধ্যে এ করে দিবার প্রতিশ্রুতি দিতে পারি। আমরা চাই জমিদারী প্রথা উচ্ছেদ কোরে ভূমিব্যবস্থার উন্নতি করতে। সুতরাং বাংলাদেশের জনসাধারণের শতকরা ৭৫ বা ৮০ ভাগ যে কৃষক—যারা সম্পূর্ণ কৃষির উপর নির্ভর করে, তাদের মনে শুধু সন্তোষ নয়, যদি বৈশ্বিক চেতনা জাগ্রত করতে চাই, তাহলে যে ব্যবস্থার দ্বারা তাদের মনে ক্রমে আরও বেশী অসন্তোষ বাড়তে পারে সেপথ ত্যাগ কোরে সত্য সত্যই তাদের মনে যদি উৎসাহ এবং সন্তোষ বিধান করতে চাই তাহলে আমি আবার মন্ত্রীমহাশয়কে অনুরোধ করব যে তিনি এই ভূমিরাজস্ব একেবারে মকুব করতে পারেন কিনা, তা বিবেচনা করুন। তবেই আমি বিশ্বাস করতে পারব যে, জমিদারী প্রথা দূর কোরে, তার বদলে যে ভূমিসংস্কার বিল আনা হচ্ছে, সেই বিলের উদ্দেশ্য সফল হবে।

[10-35—10-40 a.m.]

Sj. K. P. Chattopadhyay: Mr. Chairman, Sir, I wish to emphasize one particular point in connection with this Bill. First of all, I shall place before you the background of the land position in the State so that you may appreciate actually what is being done and what is being left undone. Unfortunately, a good deal of the figures refer to undivided Bengal, but that cannot be helped and the position is worse in divided Bengal.

According to the Land Revenue Commission of 1938 or so, 40 per cent. of all agriculturists were share-croppers and 29 per cent. were labourers. But from the report of the Inspector-General of Registration it was found that 1 per cent. of land was being steadily alienated from the land-owners each year and during the famine it was accelerated. Now, we found actually as a result of the survey which I had the honour to carry out in collaboration with the Indian Statistical Institute that 36 per cent. of the agriculturists were labourers. Six or seven years have elapsed and it varied with the rate of the loss of land. 41 per cent. had only 1 to 2 acres and you are aware that 2 acres of land can furnish only a very bare pittance—one may say, bare subsistence—for the *raiyyat*. 15 per cent. had 2 to 5 acres of land while only 8 per cent. had over 5 acres—those who may be said to be able to live in comfort. Since then the position has become much worse. That was in 1944-45. Ten years have elapsed and we may take that substantial changes have occurred through loss of at least 7 per cent. or 8 per cent. of the land from the land-owners or actual cultivators.

The Hon'ble Minister has given some figures and my friend Dr. Chakrabarty has quoted them. He has said that about 38,000 owners had 25 acres which they are entitled to hold under the present Act as ceiling of their holding. This comprises about 0.3 per cent. of the total agricultural population. At the present moment there are about 141 lakhs of agricultural people which means 28 lakh families. Since the total number of people holding that land is 38,000, it comes, as I have said, only to 0.3 per cent. of the total agricultural population. The surplus that is left for distribution, according to his own admission, is about 6 per cent. of the total amount of land available. The total amount of land is roughly 117 lakh acres and I am afraid we have actually encroached upon what

should be really left fallow. We cannot stretch it like India rubber to make more land coming in. Now, this will not be able to satisfy any appreciable portion out of 7.2 lakhs. He has said that the land may be available for distribution is only 6.4 lakh acres. Even if you give the agricultural labourers only a pittance, you can give land only to about 3 lakhs of such persons although the number of agricultural labourers is roughly about two-fifths of the total—so, it will be about 10 lakhs. Now, that will be a very inadequate solution.

Sir, I am not suggesting that you really can solve the agrarian problem simply by distribution of land. Development of industries is essential to any plan for State acquisition of and redistribution of land. What has to be remembered is that the planning of the economy of India and the planning of the economy of any State have to be looked upon as an organic whole. Unless you can properly plan for agriculture, you will not be able to succeed in the Second Five-Year Plan. Industrialisation—building up of heavy industries—will be certainly essential for development even though the purchasing power may remain somewhat lower. Nevertheless, consumer goods cannot be manufactured and absorbed in the country—and it is essential for the economy of the country—unless you can increase the purchasing power of the bulk of the people. Now, 57 per cent. of our people are still dependent on agriculture and it is essential that we should pay greater attention to see that a larger number of them have sufficient money to be able to eat and to live.

[10-40—10-45 a.m.]

Unless they can at least have income which will suffice for the bare necessities of life, it will not be possible for the other portion of the Five-Year Plan at all to succeed. This is a matter to which I would like to draw the attention of the Hon'ble Minister-in-charge of the Bill. I shall not speak now on the particular aspects for which I have given amendments as these will come up in due course, but I shall draw his attention to one particular point. The right of transfer of a holding belonging to a *raiyat* of a Scheduled Tribe has been safeguarded in clause 13. The Hon'ble Minister has overlooked the point that the ordinary peasantry should also have a certain amount of safeguard in this respect. If a land belonging to an ordinary *raiyat* is sold, there should be some safeguards for that also. It should be ensured that such land can only be purchased by other cultivators or people who are actually in agriculture, such as agricultural labourers. Unfortunately, the agricultural labourers do not have surplus money. But it should not be permissible for the non-cultivating owners, like *mahajans*, to purchase such land. There should be safeguards for that situation.

The Hon'ble Satyendra Kumar Basu: It is already there in the Bill.

SJ. K. P. Chattopadhyay: Another point I want to mention is this. To help the agricultural labourer when such land comes into the market and the agricultural labourer not having a surplus cannot purchase the land, then the Government should have their own co-operatives. I drew up a scheme and published it in connection with rehabilitation of Bengal after the famine. What I want to say is that the State should have such a co-operative allowing the agricultural labourer to hold the land in an usufructuary capacity and help him to cultivate it in co-operation with other labourers. I am sorry that no such provision has been made. Unless this is done large number of agricultural labourers who, as I have said, were 29 per cent. in 1938 and 36 per cent. in 1943 and have increased still more since then will not be benefited by this particular Act. As the object of the Act and of the general plan is to promote the welfare of the State, surely these matters should be properly taken into account.

SJ. Rabindralal Sinha:

মাননীয় পরিষদপাল মহাশয়, পশ্চিমবাংলার ভূমিসংস্কার বিধায়ক উপস্থিত হবার পরে এবং এই বিধায়কের সাহায্যে পশ্চিমবাংলার জটিলতম সমস্যা—ভূমিসমস্যা—তার যে সুদূর-প্রসারী পরিবর্তন পরিকল্পিত হয়েছে, এই বিধায়কে এবং যে বিপ্লবাত্মক পরিবর্তন সমগ্র ভূমিব্যবস্থা এই আইনের ফলে উপস্থিত হবে, সে সম্বন্ধে আমি মনে করি যে, আমাদের দৃষ্টি যথাযথভাবে আকর্ষিত হয়নি। বোধ হয় সংস্বর্ষের মাধ্যমে ও বিরুদ্ধতার মাধ্যমে এটা হচ্ছে না বলে আমরা তেমন করে এদিকে দৃষ্টি দেইনি। আমার মনে হয় যে, আজকে স্বাধীনতার পরে স্বাধীন দেশের সরকারকে আমাদের অভিনন্দিত করা উচিত, যে পশ্চিমবাংলার জটিলতম সমস্যাকে ও ভূমিসমস্যাকে এইভাবে সমাধানের পথে এগিয়ে নিয়ে চলেছেন সরকার। যখন জমিদারী বিলোপ আইন এই পরিষদক্ষেপে আলোচিত হয়েছিল, তখন আমি বলেছিলাম, এই আইনের দ্বারা ভারতবর্ষের মধ্যে ভূমিসমস্যা যেখানে জটিলতম—সেই পশ্চিমবাংলা। কারণ, রিস্থায়ী বন্দোবস্তের ফলে এত মধ্যস্বত্বের উদ্ভব হয়েছিল, এই বাংলার ভূমিব্যবস্থায়, যে সমগ্র সমস্যাটা অত্যন্ত জটিল হয়ে পড়েছিল। সেইদিকে বর্তমান এই বিল প্রথম অথচ সুদৃঢ় পদক্ষেপ। আজকে দেখা যাচ্ছে সেই প্রথম পদক্ষেপে সরকার শান্ত হননি—ধীরে ধীরে, অথচ সুনির্দিষ্টভাবে লক্ষ্যের দিকে তাঁদের অগ্রগমন চলেছে এবং এই বিধায়ক তারই পরিচায়ক। এই বিধায়কের মধ্যে সবচেয়ে প্রথম কথা, যেটা আমাদের নজরে পড়া উচিত ছিল, সেটা হচ্ছে এই যে, দীর্ঘ শতাব্দীর ব্যবধানের পর আজকে রায়তকে পুনরায় ভূমি মালিকানা প্রদত্ত হচ্ছে এবং আজকের রায়ত ভূমির মালিক হতে চলেছে। হিন্দু যুগের পরে হিন্দু ধর্মীদের বিধান আজকে আবার নূতন করে দীর্ঘদিনের ব্যবধানের পরে এই রায়তকে মালিকানা দেওয়ার মধ্যে প্রতিফলিত হতে চলেছে। যখন জমিদারী বিলোপ আইনের আলোচনা হয়, তখন মাননীয় বন্ধুবর অধ্যাপক ডক্টার মহাশয় জৈমিনী ও সায়াচাচার্যকে পরিষদক্ষেপে আনয়ন করেছিলেন। আজকে তাঁদের যে নীতি—অর্থাৎ ভূমির মালিক রাজা নয়, ভূমির মালিক রায়ত—এটা আবার এই আইনে নূতন করে প্রতিফলিত হচ্ছে। আজকে বঙ্গীয় প্রজাস্বত্ব আইনে রায়তের মধ্যে শ্রেণীবিভাগ ছিল, সেসমস্ত বিলুপ্ত হয়েছে, এবং রায়ত আজ উচ্ছেদের অযোগ্য হয়ে পড়েছে। যদি তার নিজের দোষে কোনদিন সে জমি ফেলে রাখে, তাহলে যে বিধান বর্তমান বিধায়কে আছে, তাতে তার জমি বিক্রীত হবে। এবং সে বিক্রয়ের যে অর্থ সেটা রায়তই পাবে। সুতরাং রায়তকে আজ সর্বদিক থেকে ভূমির মালিকানা প্রদত্ত হচ্ছে। একমাত্র আপত্তি আমাদের বন্ধুদের কাছ থেকে যেটা এসেছে, সেটা বর্গাদার সম্বন্ধে। আজকে পশ্চিমবাংলার ভূমি ব্যবস্থা যা, তাতে বর্গাদার প্রথা সম্পূর্ণভাবে রহিত করা চলে না। আজকে বর্গাদারপ্রথা রহিত করা বহু বর্গাদার সামান্য ক্ষেতমজুরে পরিণত হবে। সেটা রাষ্ট্রের দিক থেকে, সমাজের দিক থেকে আদৌ কাম্য নয় এবং আমরা দেখতে পাচ্ছি যে, আজকে বর্গাদারকে স্বাধীনতার পর ক্রমশঃ অধিকতর অধিকার প্রদানের প্রচেষ্টা চলেছে। ১৯৪৯ সালের যে বর্গাদার আইন, তাতে বর্গাদারকে যে ক্ষমতা দেওয়া হয়েছিল, যে অধিকার দেওয়া হয়েছিল, বর্তমান আইনে দেখা যাচ্ছে যে, বর্গাদারকে তার চেয়ে অনেক বেশী অধিকার দেওয়া হচ্ছে। বর্গাদারপ্রথা অবসানের জন্য—জমির মালিকানা অবসান করবার জন্য যে যে রকম হুকুমার ছিল, বর্গাদার আইনে, আজকের আইনে দেখা যাচ্ছে, তার চেয়ে তার মালিকের অধিকার সংকুচিত হয়েছে। এবং বর্গাদারদের অধিকার অনেক বৃদ্ধি করা হয়েছে। একমাত্র অল্প ভূমির মালিক, নিজে চাষ করবার জন্য সমস্ত জমি থেকে বর্গাদারকে উৎখাত করতে পারেন, কিন্তু যার জমির পরিমাণ নির্দিষ্ট সীমাকে অতিক্রম করেছে অর্থাৎ ২৫ একরের মধ্যে আছে, কিন্তু সরকার যে সীমা নির্দিষ্ট করে দেবেন এবং ২৫ একরের কম আছে, সেইরকম মালিক, সেইরকম রায়ত, আজ বর্গাদারকে সমস্ত ভূমি থেকে উৎখাত করতে পারছে না। বর্গাদার আইনে এই বিধান কোনকালে ছিল না। বর্গাদারদের উৎখাত হওয়ার বিধান বর্তমান আইনে নেই। সুতরাং উৎখাতের যে ব্যবস্থা ছিল, আজকে দেখা যাচ্ছে যে, ভূমিচাষ করবার অধিকার বর্গাদারদের অনেক বেশী দেওয়া হয়েছে বর্তমান বিধায়কে। আর একটা জিনিষ দেখা যাচ্ছে, বর্গাদারদের বর্গা ফসলের দিক থেকে। বর্গাদার আইনে যেখানে জমিদার, যেখানে জমির মালিক বীজ,

[10-45—11 a.m.]

হাল, লাঙ্গল, গরু, সার প্রভৃতি প্রদান করতেন, সেখানে বর্গাদারদের অংশ ছিল মাত্র ঠে, তাও আবার বীজ বাদ দেওয়ার পরে। বর্তমান আইনে সেখানে বর্গাদারদের অংশাংশ হচ্ছে কিন্তু এখানে বর্গাদাররা অংশাংশের কম পাচ্ছে না। সুতরাং এদিক থেকে বর্গাদারদের অংশ অনেক বৃদ্ধি করা হয়েছে।

একমাত্র যেখানে চাষের এই সমস্ত প্রয়োজনীয় জিনিষ বর্গাদার প্রদান করছেন, সেখানে তাকে দেওয়া হচ্ছে ৬০ ভাগ, এই নিয়ে কিছু আপত্তি উত্থাপিত হয়েছে। কিন্তু দেখা যাচ্ছে যে, মোটামুটি বর্গাদারদের অধিকার বর্তমান আইনে অনেক বেশী বাড়িয়ে দেওয়া হয়েছে। এবং এই যে ৬০ ভাগ ফসলের অধিকার দেওয়া হয়েছে—সেটা অবশ্য আমি যদি বলতে পারি—একথা বলা যায় যে, সেটাই একমাত্র নাযা নীতি। সেখানে মাত্র ৪০ ভাগ পাচ্ছে, জমির মালিক। আমি নির্ধারণ সম্বন্ধে বলছি না কিন্তু ভাগের যে মূল নীতি গ্রহণ করা হয়েছে—

[Interruptions]

সে কথা বলবার নিশ্চয়ই অধিকার আছে, যে এটাই হচ্ছে ঠিক নীতি। তারপর ভূমির উন্নতির জন্য আর একটা কথা বলা যায়, বর্গাদারদের সম্বন্ধে। দেওয়ানী আদালতে আপিল করার তাদের অধিকার দেওয়া হয়েছে—ম্যুন্সিফের কাছে। এই অধিকার সম্বন্ধে আমি এটুকুই বলবো যে, এ একটা দামী অধিকার। এই অধিকার বর্তমান আইনে স্বীকৃত হয়েছে, বর্গাদারদের পক্ষে মালিকদের বিরুদ্ধে। বাংলাদেশে আর একটা কথা বড় হয়ে দেখা দিয়েছে, জমির জোতের উন্নতন মান বা সীমা নির্ধারণ, যে ২৫ একর নির্ধারিত হয়েছে, তাতে কিছু আপত্তি উত্থাপিত হয়েছে। এ সম্বন্ধে একটা কথা বলবো, বাংলার ভূমিসমস্যা সমাধানের মানে এই নয় দারিদ্র বন্টন করে নেওয়া। ভূমিসমস্যা সমাধানের মানে হবে, ভূমির উপর নির্ভরশীল মানুষের শ্রীবৃদ্ধি এবং তাদের কল্যাণের ভিত্তি রচনা, ভূমির উপর নির্ভরশীল মানুষ যারা তাদের দারিদ্রের লাঘবই একমাত্র লক্ষ্য হওয়া উচিত নয়, তাদের জীবনধারণের মান যাতে ভবিষ্যতে উন্নতি হয়, সেদিকেও লক্ষ্য রাখা উচিত। আজকে বাংলাদেশে যে পরিমাণ কণনযোগ্য ভূমি আছে এবং তার উপর যে পরিমাণ কৃষিজীবী নির্ভর করছে, তাদের মধ্যে সমহারে ভূমি বন্টন করতে গেলে, দারিদ্র বন্টন করে নেওয়া ছাড়া আর কোন উপায় নাই। কিন্তু আমাদের লক্ষ্য সে নয়। আমাদের লক্ষ্য হচ্ছে ভূমির উপর নির্ভরশীল মানুষের শ্রীবৃদ্ধিসাথ এবং তাদের জীবনের মানোন্নয়ন। সেদিকে লক্ষ্য রেখেই এই সীমা নির্ধারিত হয়েছে বলে মনে করি।

আর একটা কথা হচ্ছে, বাংলার ভূমিসমস্যা সমাধানে বড় বাধা ছিল, এই খণ্ডিতকরণ, ফ্রাগমেন্টেশন—ভূমি টুকরো টুকরো হয়ে হয়ে এমন ছোট জোতের সৃষ্টি হয়েছিল, যে জোত চাষ করে চাষীর পক্ষে লাভবান হওয়া সম্ভব ছিল না। কিন্তু অন্য কোন কাজ না থাকায় বাধা হয়েই চাষীরা সেই সমস্ত জোত চাষ করতো। সুতরাং এই খণ্ডিতকরণ বন্ধ করবার যে ব্যবস্থা এই আইনে সর্বপ্রথম করা হচ্ছে, তার জন্য আমি সরকারকে অভিনন্দন জানাচ্ছি।

তারপর রাজস্ব বা খাজনা সম্বন্ধে। এই বিষয়ক প্রথম প্রচারিত হবার পর ভূমিরাজস্ব বৃদ্ধি পাচ্ছে, খাজনা রাজস্ব পরিণত হচ্ছে, এই রাজস্বের চাপ জমিদারী আমলে যা ছিল, তার চেয়েও বৃদ্ধি পাচ্ছে রায়তদের উপর, এরকম একটা ক্ষণি অভ্যোগ শোনা যাচ্ছিল, কিন্তু দিন এগিয়ে যাবার সঙ্গে সঙ্গে আমার মনে হয়, যারা এই অভ্যোগ করেছিলেন, তারা ভাল করে হিসাব নিকাশ করে এটা উপলব্ধি করেছেন যে, রাজস্বের চাপ বহুগুণ লাঘব হতে যাচ্ছে, অনেক কমে যাচ্ছে কৃষকদের উপর। সেজন্য আজকে বিশেষ তেমন সমালোচনা শোনা যাচ্ছে না। কেন শোনা যাচ্ছে না সে কথা বলতে চাচ্ছি—আজকে দেখা যাচ্ছে যে সেটা গ্রাজুয়েটেড অর্থাৎ এই নীতি নেওয়া হয়েছে যে, যাদের অভাব বেশী, তাদের উপর চাপ কম এবং যাদের অভাব কম তাদের উপর চাপ বেশী—এই নীতিই মেনে নেওয়া হয়েছে। এবং এই নীতিই যে সর্বপ্রথম স্বীকৃত হয়েছে এই আইনে, তার জন্য আমি সরকারকে অভিনন্দন জানাচ্ছি।

তা ছাড়া যেমন জমিদারী আমলে প্রজার খাজনা দিতে বিলম্ব হলে সদ দেবার ব্যবস্থা ছিল, এখানেও সদের ব্যবস্থা আছে, তেমনি রিভেটএরও ব্যবস্থা এই আইনে স্থান পেয়েছে। এই রিভেট সম্বন্ধে আগে কোন কথা কোন আইনে ছিল না। তাছাড়া বাংলার ভূমিসমস্যার সত্যই

সমাধান করতে গেলে সমবায় পদ্ধতি অবলম্বন করা একান্ত দরকার। কোন গণতান্ত্রিক রাষ্ট্রে সর্বাঙ্গিক রাষ্ট্রের মত ফটোয়া বলে রাতারাতি কৃষিজীবী মানুষ ও রায়তকে মজুরে পরিণত করে, সমবায় পদ্ধতিতে আমরা জমি তুলে দিতে চাইনি। আমরা গণতান্ত্রিক নীতিতে বিশ্বাস করি। সেইজন্য এই সমবায়পদ্ধতি যারা গঠন করবে, তাদের নানা সুযোগসুবিধা দিয়ে সাধারণ মানুষের মনকে সমবায়ের সুফল সম্বন্ধে উদ্বেগ করে সমবায়মুখী করতে চাই, যাতে তারা কৃষির উন্নতি করতে পারে। এই আইনে এই জিনিসের প্রতি লক্ষ্য রাখা হয়েছে। এ কথা আগেও বলেছি যে, উৎপাদন বৃদ্ধিই হচ্ছে প্রধান লক্ষ্য এবং এই লক্ষ্যের দিকে লক্ষ্যই রাখা হয়েছে। মানুষের কল্যাণ উৎপাদন বৃদ্ধি ছাড়া হতে পারে না। আজকে দেখতে পাচ্ছি সেই সমবায় সমিতি গঠিত হবে, এই আইনের মধ্যে দিয়ে সরকার নানাভাবে এই সমবায় সমিতিকে সাহায্য করছে। সমবায় সমিতি রাজস্ব দেবে কম, সমবায় সমিতিকে বীজ এবং তার বিনামূল্যে দেওয়া হবে প্রথম দুই বৎসর, তারপর অল্পমূল্যে দেওয়া হবে, অর্থ সাহায্য করবেন, তার মূল খরচের জন্য। নানাভাবে সরকার এই সমবায় সমিতিকে সাহায্য করবেন। এবং সাধারণ মানুষের সমবায় দ্বারা কৃষির উন্নতির জন্য যে প্রচেষ্টা করছেন, তার জন্য সরকার নশ্বরই আমাদের সমর্থন লাভ করবেন। ইতিপূর্বে কোন দিন কিছুতে দেখিনি যে সরকারের কোন প্রতিশ্রুতি বিধিবদ্ধ হয়েছে, কৃষির উন্নতির জন্য, কৃষকের উন্নতির জন্য। আজকে এই আইনে দেখছি পরিস্কারভাবে বিধিবদ্ধ হতে যাচ্ছে, সমবায়কে কতখানি সাহায্য করবেন, কৃষি উন্নতির জন্য এবং উৎপাদন বৃদ্ধির জন্য। তাছাড়া সরকারের হাতে যে জমি আসবে, সেই জমি বিলি করার ব্যবস্থা হয়েছে। বর্তমান আইনে দেখতে পাচ্ছি যে, এটাতে অনেকে ভয় করছেন যে, এই জমি বিত্তশালী মানুষের হাতে চলে যাবে। কিন্তু বর্তমানে যাদের জমি নেই বা দুই একরের কম আছে, তাদেরই জমি দেওয়া হবে। সুতরাং সেদিক থেকে বিশেষ কোন ভয়ের কারণ দেখতে পাই না। সর্বদিক দিয়ে বিচার করতে গেলে এই কথা আমাদের মনে হয়, এই যে আইন বিধিবদ্ধ হতে চলেছে, এতে বাংলাদেশের জটিল ভূমিসমস্যার পরিবর্তন হবে এবং সেই পরিবর্তন হবে সাধারণ মানুষের কল্যাণের জন্য এবং সেখানে উৎপাদন বৃদ্ধির জন্য। দেশের সর্বাঙ্গিক কল্যাণের জন্যই এই বিধি বিধিবদ্ধ হচ্ছে। এই কথা আমাদের বিশেষ করে দৃষ্টি রাখতে হবে। আজকে দেখতে পাচ্ছি, দেশের সর্বস্তরের মানুষের মধ্যে এই বিধির প্রতি তাদের সমর্থন আছে। সমালোচনা যা হচ্ছে, তা তেমন উগ্র নয়। অবশ্য আজকে একথা ঠিক না বাংলাদেশের ভূমির উপর যত সংখ্যক মানুষ নির্ভরশীল তাদের সকলেরই জীবিকার মূল সমস্যা সমাধান হবে না, যতক্ষণ পর্যন্ত না তাদের সেখান থেকে সরিয়ে এনে অন্য শিল্পে লাগান যায়। এবং তা করতে কিছুদিন সময় লাগবে। এখানে যতদিন না তারা লাভজনক শিল্পে নিয়োজিত হতে পারছে, ততদিন তাদের উৎপাদন বৃদ্ধি করার জন্য সরকার নানা সুযোগ দিচ্ছে। উৎপাদন বৃদ্ধির সুযোগ দিয়ে সরকার এই যে আইন বিধিবদ্ধ করছেন এটা অত্যন্ত কল্যাণপ্রদ ও কল্যাণপ্রসূত।

[11—11-10 a.m.]

SJ. Nirmal Chandra Bhattacharyya: Mr. Chairman, Sir, I find that I have been anticipated by my friends, and I have very little to add to the valuable contributions that have been made by my friends on both sides of the House. Sir, as I apply my mind to the understanding of the principles of the Bill, I cannot but admit that we are on the threshold of a silent revolution. The principles embodied in the Bill are highly desirable, though I feel that I cannot agree to all of them. But it cannot be denied that if this Bill, when it passes into Act, is worked in the proper spirit, it will bring into existence in the rural areas a new atmosphere. Though I think so, still we differ principally because the Bill does not contain a solution of the agrarian problem. I would add, Sir, that it was not possible for the Hon'ble Minister to provide a solution of the agrarian problem through this Bill. It has been pointed out that we do not have enough land to go about. In such circumstances it was impossible for the Minister to put forward a Bill which would solve the rural problem. I believe my friend Professor Chattopadhyay and my friend Mr. Rabindralal Sinha have

correctly emphasised the simultaneous development of agriculture and industry in our State. The solution really is to divert the surplus population who are dependent on agriculture today from the rural areas to urban pursuits. If we fail to do so, we shall never be able to improve the face of our countryside. Sir, the immensity of the problem with which we are faced has been brought home to us by the statistics that have been quoted by my friend Professor Chattopadhyay and Mr. Halim. The position with which we are faced is really a desperate one. We get really a correct picture of this position in the Census Report. On page 531 of the Census Report the distinguished framer of the report says: "The statistics indicate that the aggregate livelihood of the people has certainly not kept pace with the population and is lagging far behind. The gap is widening more in the rural than in the urban areas proving that a greater and greater proportion of the rural population is being compelled to fall back upon the land. In the urban areas a big share of the employment and sustenance available is appropriated by persons born outside the State, and there also except for certain expanding mills and factories employment is scarce and distributed. The crisis in employment is gradually intensifying both in the agricultural and non-agricultural sectors, and an increasing population is being thrown upon the earnings of a decreasing number of earners". Sir, I have read out a long quotation, but I have done so deliberately because I perhaps would not have been able to put the case as clearly as the distinguished framer of the Census Report has done. Sir, it is because of this situation that we differ amongst ourselves today. The immensity of the problem with which the Minister was faced can be judged if we think of the streams of legislation that has been undertaken since 1793. It began with the Rent Act of 1859 which sought to fix the rent rates in a way suitable to the interests of the tenants. Then came the Bengal Tenancy Act of 1886 which sought to bring better relationship between the landlords and the tenants and also made salutary provisions regarding the rate of rent. The amendments of 1929 and 1939 considerably improved the position of the *raiyats*. Then came the West Bengal Non-Agricultural Tenancy Act which gave protection to non-agricultural tenants; the Calcutta *Thikka* Tenancy Act which sought to protect the interests of the *bustee*-dwellers and the West Bengal *Bargadars* Act of 1950 which sought to stop wanton eviction of *bargadars*. All these remain behind and the Minister-in-charge of the Bill has sought to go forward. Our complaint is that he has not gone sufficiently forward. Perhaps he will admit that he has not been able to do so but possibly he will thank the existing economic set-up for that. Sir, the principles underlying the Bill have been very ably summarised by my friend Mr. Sinha. But there are some principles upon which the Bill is based with which I am not in agreement. Take, for example, the principle of peasant proprietorship. Sir, in my opposition to the principle of peasant proprietorship I am perhaps in a minority of one in this House. Sir, I am one of those who believe that land belongs to the people and land is a national asset, and nobody has the right to use it just as he pleases. It is for this reason necessary that it should be categorically stated that all land belongs to the State and that the State will use land just as it pleases in the interest of the nation as a whole. The Bill does not contain any statement of that sort. I am not opposed to the creation of certain rights in favour of the *raiyats* but it must always be remembered that the *raiyats* are servants of the community and as such they must work in a way calculated to the economic well being of the people as a whole. Sir, this principle which I am emphasising has been recognised by the Bill in an indirect way because quite a number of limitations have been put upon transfer, mortgage and also regarding consolidation. Sir, I would have liked to see that the State did take energetic measures to bring together the *raiyats* and start co-operative farming. I would even advocate co-operative farming on

compulsory basis, if that is co-operative farming at all, or if you like to call it collective farming, call it collective farming. But I believe, Sir, that the time has come when the State ought to come forward and take charge of land in order to ensure that the nation gets enough food, in order to ensure that the maximum yield is derived from the land and the nation as a whole as well as the *raiyats* engaged in cultivation are profited by it. I am therefore opposed to the principle of peasant proprietorship which has been incorporated in the Bill.

Sir, regarding the protection of the rights of *bargadars*, Mr. Sinha has pointed out that it will not be possible for the owners now to evict the *bargadars*.

[11-10--11-15 a.m.]

I believe, Sir, under clause 17(d) the owners even now will be able under the pretext of personal cultivation to take possession of land and evict the *bargadars*. Sir, such subterfuges are open to them even now under the law which we are going to pass today.

Sir, the principle of distribution that has been incorporated is not very straightforward. It ought to have been definitely stated in the section dealing with the principle of distribution that people who are actually engaged in cultivation for a prescribed period—the period is to be prescribed by the Government—will get first preference, but under the rules that have been adopted people who have not been in cultivation will get a chance. My contention is that the people who should get the first chance should be the people who are actually engaged in cultivation of land in the areas concerned. If that were done, then the landless labourers would have got a chance.

Another point to which I would like to refer in this connection, Sir, is this, that distribution of land to some classes of people should have been absolutely free. There are different categories of cultivators. There are some who are not in a position to purchase land at all and they possibly are good cultivators. The Government should choose such people and give them land in order that they may cultivate and they may in fact be able to support themselves. So I feel, Sir, that certain categories of cultivators amongst the landless labourers ought to have been selected for the purpose of free distribution of land.

The principles of the Bill are desirable but it is not the principles of the Bill that really matter. What really matters is how the Bill is worked. The machinery proposed in the Bill is rather a complicated one and I doubt very much if this complicated system will work to the satisfaction of the poorest classes of cultivators. I would, therefore, like to see that conditions are changed to such an extent as to create opportunities even for the poorest cultivators to assert their rights.

Sir, I will conclude by making one other observation. It has been said that the ceiling of ownership may be reduced from 25 acres to 10 acres. If we do so, even then the holding will be made an economical one—it will remain an economic holding even then. If we consider it from that point of view, I believe that would be highly desirable. That would in fact leave our hands much more land, nearly 15 lakhs of acres of land instead of 10. The Minister has said that the land available for distribution will be in the neighbourhood of 6 lakhs of acres. If we reduce the ceiling to 10 acres we will get about 15 lakhs of acres. That would in fact put him in a stronger position in the matter of rehabilitating the landless labourers. Even now it is not too late and he might consider if he is in a position to

accept this suggestion. I would again emphasize that even if he does so the holding does not cease to be an economic holding. As a matter of fact, 8 acres has been supposed to be the economic holding in West Bengal. I will request him to consider this aspect of the question.

[11-15—11-20 a.m.]

Before I conclude, Sir, I would again request the Government to think of the rapid industrial development of the country because the rural folk who are today dependant on agriculture will not be rehabilitated unless they are diverted to industries in urban areas.

Sir, with these words, I commend the suggestions that we have made from this side of the House to the Hon'ble Minister and the Government.

The Hon'ble Satyendra Kumar Basu: Sir, the problem of land reforms is a difficult problem and I am glad that my friends recognise it.

Various methods of approach to the problem have suggested themselves to us and suggestions have also been made by our friends from both sides of the House.

There are two and a half crores of people in this State and 117 lakh acres of cultivated land available so that you will appreciate that the land available per head is less than one-half acre. There are 18 lakh families of owners, 7 lakh families of *bargadars* and 7 lakh families of landless labourers. Therefore, we find that there are 32 lakh families interested in production—or rather, dependant on land. Now, if we give them 5 acres of land per family—which will mean 1 acre per head—we will require 160 lakh acres. The problem is difficult because we have not enough land to go round. We have set a ceiling in order to get as much land as possible without very seriously affecting the economy of the families who have land in excess of the ceiling prescribed. We have made use of the statistics which were compiled during the last census operations and we find that there may be available to the State Government for distribution about 6 lakhs of acres of land. In the Estates Acquisition Act which was passed by both the Houses it was provided that an intermediary would be entitled to retain 25 acres of agricultural land held by him as an intermediary, but if he held land also in his capacity as a *raiyat*, he would be entitled to retain 33 acres of land. Sir, we have provided in this Bill that a person will be entitled to retain only 25 acres of land, be he an ex-intermediary, or a *raiyat* or a *bargadar*. We have set a uniform ceiling with regard to land-holding.

I shall explain why we have fixed upon a ceiling of 25 acres. Twenty-five acres is equal to 75 bighas and if we assume that one *bigha* of land yields 5 maunds of paddy on an average then 75 *bighas* will yield 375 maunds of paddy and if we take that 40 per cent. of the produce is available to the owner after meeting the cost of cultivation, then the owner will be left—or the *bargadar*, whoever he may be, will be left—with 150 maunds of paddy which, calculated at the rate of Rs. 8 per maund, will be equivalent to Rs. 1,200 per year. If you deduct the rent which amounts to about Rs. 132, then there will be a net income of Rs. 1,068 per family of five.

[11-20—11-25 a.m.]

That is to say a family of five will have a net income of Rs. 90 a month. In other words there will be a net income of Rs. 18, per member of the family per month. Therefore, I submit that 25 acres of land is neither too extravagant nor too meagre.

Dr. Monindra Mohan Chakrabarty: Is there only one-crop land?

The Hon'ble Satyendra Kumar Basu: Yes. About 98 lakh acres are one-crop land.

My friend suggested yesterday—I think it was Dr. Chakrabarty—that there will be distribution to the highest bidder. I do not know why he said so, because it has been made perfectly clear that where land is settled, there will be no question of the settler having to pay any *salami* or premium. My friend has suggested that there are loopholes in the Bill. I do not think my friend is correct, because all avenues of escape have been closed and there is not much scope for making use of any apparent loophole. As far as we have been able, we have seen to it that there are no loopholes in the Bill. There are 12.82 lakh families; in other words 70.7 lakh people interested in land are owners of less than five acres. The principle of distribution is the best which can be evolved on the facts and in the circumstances prevailing in the State. We have provided that land should be distributed among the landless, and there are 7 lakhs families of *bargadars* and 7 lakh families are landless labourers. Then we have provided that it should be given to small holders, namely, people who hold less than two acres of land. We have made express provisions. The landless *bargadars* will of course be included. We have provided that distribution should take place according to convenience, that is to say, contiguity. If a land is available adjoining the land of a *bargadar*, it is only right that that piece of land should be allotted to the *bargadar* who is tilling the adjoining land if he fulfils the conditions. My friends probably think that there will be big chunks of land available round about the village. I have seen some of the returns. The intermediaries have offered to give us small areas scattered about the village, so that we have to find out who are the residents in the village interested in cultivation; we have to find out how many *bargadars* there are; we have to find out how many landless people there are; we have to find out how many small owners there are; we have to find out what is the situation of the land which is available for distribution. And having taken into consideration all these facts, we have to proceed to distribute land among the residents of the village.

Sir, with regard to co-operatives my friends seem to think that there is a compulsion imposed on the formation of co-operatives. We have set out in the Act certain provisions which will help the formation of co-operative societies and which will create a psychology in the people interested in agriculture to form co-operatives. We have made provisions for consolidation of holdings. Unless we have compact blocks we cannot undertake cultivation in an effective way, so that the first provision that we have made is for consolidation of holdings. We have also made provisions for preventing fragmentation of land. Then we have provided the method of formation of co-operative societies. A number of people owning or interested in agriculture can form co-operative societies.

[11-25—11-30 a.m.]

There is no question of bigger holders suppressing or exploiting the smaller holders because the holders of small pieces of land may form into co-operatives and get the assistance of the Government. Then, Sir, we have provided for giving facilities to people who form co-operative society in the shape of supplying free seeds and manures for three years, financial assistance, technical assistance and so on and so forth. The concessions are set out in clause 48 of this Bill.

My friend Dr. Chakrabarty seems to think that we are interfering with the powers of the High Court. My friend is not right. The powers of the High Court are prescribed by the Constitution so that such powers remain absolutely unfettered whatever we may provide for in this Bill.

With regard to revenue, I shall explain to you when the clause comes up for consideration, if necessary, that the Government is really making substantial sacrifices. At the present moment the total rent which is payable by the *raiyats* amounts to Rs. 5 crores 68 lakhs. If you calculate on the principle laid down in the Bill the total amount which Government may realise would be Rs. 4 crores 30 lakhs. I have made some calculation of my own. You will notice the Bill provides for assessment of revenue rate and the revenue rate will in no case exceed one-fifth in the case of paddy—one-fifth of the average value of the products and for other crops it may be less—and the revenue is to be a proportion or a percentage of the revenue rate. The same principle applies for other crops. I am assuming that my calculation is correct. For the first 2 acres the revenue will not be more than 2 per cent. of the average value of the produce; for the next 3 acres it will be 3 per cent.; for the next 5 acres it will be 4 per cent.; for the next 5 acres it will be not more than 5 per cent. and for the remainder it will not be more than 6 per cent. In terms of money it will be about 12 annas per *bigha* with regard to first 2 acres, that is to say, at the present moment he is paying on an average Rs. 5 per acre and when the provisions are enforced he will be paying Rs. 2-4 per acre which means a reduction by about 60 per cent. and persons holding land up to 15 acres will be considerably benefited because I find that the rent, which a person is now paying for 15 acres is Rs. 75. Calculated on the principle set out in the Bill he will pay only Rs. 65-14. A person holding 10 acres will pay Rs. 37-2. A person holding 5 acres is now paying Rs. 25. He will pay Rs. 14-10 only. So that you will find that there is a great deal of concession as regards revenue provided for in this Bill and these figures are worked out on the basis of an average for 20 years. If we take the average production and the average price for 20 years the average production is 15.5 maunds of paddy per acre at the average rate of Rs. 7-4 or Rs. 7-8 per maund of paddy. Apart from the rebate of 5 per cent. we have also provided that the revenue is to be paid by instalments and if a person fails to pay the revenue and the revenue becomes arrear then his holding will not be sold until he has been given an opportunity to pay by instalments, that is to say, he may apply to the officer concerned for leave to pay arrears by instalments. This is a mandatory provision and the officer shall allow him to pay the arrears of revenue by instalment which may be prescribed.

[11-30—11-38 a.m.]

With regard to *benami* transactions my friends are aware that a provision has been made by an amendment of the Estates Acquisition Act for enquiring into *benami* transactions but the success of this operation will undoubtedly to some measure depend upon the co-operation we get from the people.

With regard to transactions which have been effected by registered instrument, we can get copies from the Department of Registration and pursue the matter.

With regard to transactions which have been effected by post-dated *dakhilas* and *amalnamas*, we have got to depend on certain amount of support from the villagers, apart from other records.

Sir, as far as the *bargadar* is concerned, I think his position, having regard to the provision in the Bill, has improved. If you compare the provisions contained in the *Bargadar's* Act and the provisions contained as far as *bargadars* are concerned in this Bill, you will find that the power of the owner to evict the *bargadar* has been greatly restricted.

With regard to distribution of the produce, under the present Act the *bargadar* is entitled to retain one-third; he has to deliver one-third to the owner and the remaining one-third is to meet the cost of cultivation; so that if the owner provides for all the costs of cultivation, then he is entitled to 66½ per cent. *plus* if he supplies paddy, he is entitled to about 70 per cent. But in this Bill we have provided that in any case he is not entitled to get more than 50 per cent; so that whereas under the present Act, the *bargadar* would be liable to deliver to the owner 70 per cent. of the produce, the owner under the provision of this Bill will never get more than 50 per cent. of the produce.

Certain further restrictions have been made with regard to eviction. We have provided that no owner can evict a *bargadar* so as to resume more than two-thirds of his entire holding including the land held in *khas* possession—that is to say if a person owns 15 *bighas* of land and if he has ten *bighas* under his personal cultivation, which is equal to two-thirds of his total holding, he cannot evict the *bargadar* from even one cotta of land which is under the cultivation of the *bargadar*; but if he is actually cultivating 8 *bighas*, then he can resume only to the extent of 2 *bighas*—and five *bighas* will remain with the *bargadar*. That is a distinct advantage provided for in favour of the *bargadar*.

Then we have provided that receipt must be given to a *bargadar*. At the present moment the real difficulty of a *bargadar* is to establish that he is a *bargadar*. He has no receipt; his name is not recorded. Whereas now the name of the *bargadar* is recorded in the Settlement Revisional Operations, so that he will have no difficulty in establishing his right as a *bargadar*. Not only that, year after year, he will get receipt granted by the owner in respect of the share of the paddy which he will retain.

We have provided that if a man resumes possession of land under *barga* cultivation but does not cultivate it within a fixed time or if he cultivates it through another *bargadar*, then the land will be sold to the *bargadar*; that is to say, the *bargadar* will become the owner of the land.

These are broadly the provisions which have been made in favour of the *bargadar*.

With regard to payment of revenue I would draw my friends' attention to clauses 35 and 38 of the Bill. My friend S^r. K. P. Chattopadhyay says 40 per cent. are share-croppers. We find from statistics that 28 per cent. of the people who cultivate land are *bargadars* and they hold 21 per cent. of the total land.

S^r. K. P. Chattopadhyay: Sir, I said that in undivided Bengal according to the Land Revenue Commission 40 per cent. were share-croppers.

The Hon'ble Satyendra Kumar Basu: We need not think about undivided Bengal now.

My friend has said that with regard to tribal people we have restricted transfers—with regard to people who do not come under that category we have not provided that sale must be to cultivators. I draw my friend's attention to clause 4 where we have provided that a man will lose his land if he utilises it for a purpose other than an agricultural purpose or if he does not cultivate it personally or allows it to lie fallow for a certain period. We have had to put it in that form because it was said that there are people who, for instance, those who obtain training in an Agricultural College—they may not be owners of land—therefore you must make a provision to fit in that class of people; there may be students who have passed out from an Agricultural College—who have no land—so that they may be allowed to acquire land for the purpose of taking to cultivation.

Those are the points which have been urged by my friends. I submit the House will now accept my motion.

Dr. Monindra Mohan Chakrabarty: On a point of information, Sir; will the Hon'ble Minister kindly let us know what will be the estimated cost of maintaining the machinery which is proposed to be set up by dividing West Bengal into so many revenue blocks—expenses for establishment charges for collection of revenue, etc.?

The Hon'ble Satyendra Kumar Basu: It is over one crore.

The motion of the Hon'ble Satyendra Kumar Basu that the West Bengal Land Reforms Bill, 1955, as passed by the Assembly, be taken into consideration was then put and agreed to.

Adjournment.

The Council was then adjourned at 11-38 a.m. till 3 p.m. on Wednesday, the 21st December, 1955, at the Legislative Buildings, Calcutta.

Members absent.

Banerji, Sj. Bankim Chandra,
Banerji, Sj. Sankar Das,
Bose, Sj. Subodh Kumar,
Mohammad Sayeed Mia, Janab,
Prodhan, Sj. Lakshman,
Roy, Sj. Surendra Kumar,
Sanyal, Dr. Charu Chandra and
Sarkar, Sj. Pranabeswar.

COUNCIL DEBATES

Wednesday, the 21st December, 1955.

The Council met in the Legislative Chamber of the Legislative Buildings, Calcutta, on Wednesday, the 21st December, 1955, at 3 p.m. being the 5th day of the Eighth Sessions, under the Constitution of India.

Mr. Chairman (The Hon'ble Dr. Suniti Kumar Chattterji) was in the Chair.

[3—3-10 p.m.]

Mr. Chairman: We shall now take up consideration of the Land Reforms Bill, clause by clause.

Point of Privilege

Sj. Nirmal Chandra Bhattachayya: Sir, before we pass on to that item, could I be permitted to rise on a point of privilege? Sir, neither the Chief Minister nor the Leader of the House is present. But I would like to pass on to the Government through you three requests. I find the Leader of the House has come though late.

The Hon'ble Prafulla Chandra Sen: I am late by 20 seconds.

Sj. Nirmal Chandra Bhattacharyya: The first question of privilege that I would like to raise with your permission is in the form of a request. We request that the Five-Year Plan of the West Bengal Government be placed before the Legislative Council for discussion. Secondly, we request that the last Report of the Public Service Commission be placed before the Council for discussion. The third point which I would like to raise is of a much more important character. It was agreed that the Council would be represented on the Public Accounts Committee. The Public Accounts Committee for the next financial year will, I believe, be formed very soon. So we request that the Government will please remember that this has been agreed to and that the Council will be given its proper quota of representation on the Public Accounts Committee. I hope, Sir, that the Leader of the House will kindly take note of these three requests that we have made and act accordingly.

The Hon'ble Prafulla Chandra Sen: Sir, so far as the discussion on the Second Five-Year Plan is concerned, it cannot be taken up now because it has not yet been finalised. Regarding Public Service Commission Report, I do not think it is possible now to discuss that Report.

Sj. Nirmal Chandra Bhattacharyya: I am not suggesting that we proceed to discuss it forthwith or in this session. What I suggest is that in the next session opportunity will be given to the Legislative Council to discuss the Second Five-Year Plan.

The Hon'ble Prafulla Chandra Sen: Then, it will be for the next session.

Sj. Nirmal Chandra Bhattacharyya: The most important point is the representation of the Council on the Public Accounts Committee. That was agreed to and the Chief Minister and Finance Minister gave us an

assurance that the Council would be given its due quota of representation on the Public Accounts Committee. That is a point which I hope the Leader of the House will remember.

Mr. Chairman: I think the Chief Minister has already expressed his wish that he would take into consideration the question of representation of this House on the Public Accounts Committee.

The Hon'ble Dr. Bidhan Chandra Roy: If my friends are anxious for discussion of the Second Five-Year Plan they may send their suggestion, because it will appear that the Government are not yet in a position to finalise it. So instead of wasting time, because we shall be finalising it very soon, if my friends have any suggestion to make, they may send their suggestions so that we can consider them.

Sj. Nirmal Chandra Bhattacharyya: The Chief Minister has come a little late. We were suggesting that it might be taken up for discussion at the next session of the Legislative Council.

The Hon'ble Dr. Bidhan Chandra Roy: You can. But very likely before that the finalisation will take place. So in the meantime it is better you send your suggestions.

GOVERNMENT BILL

The West Bengal Land Reforms Bill, 1955.

Clause 1.

Mr. Chairman: We will now take up discussion of the various clauses of the Land Reforms Bill. There is no amendment to clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

Sj. Satya Priya Roy: Sir, I beg to move that in clause 2(8)(c), line 2, after the word "both", the words "by way of supplementing his own labour" be added.

মুভ করার সঙ্গে সঙ্গে আমি এখানে বলতে চাই ভূমি-সংস্কার বিলের একটা নূনতম মৌলিক নীতি হওয়া উচিত, যে জমি চাষ করবে জমি তার কাছে যাবে। এখানে সেই জমির সংজ্ঞার স্বীকৃতি হিসাবে বলেছেন যে জমি যাদের দেওয়া হবে,—সে সম্পর্কে সংজ্ঞা যা দেওয়া আছে তারা মজুর রেখে চাষ করবে বা নগদ পরিসা দিয়ে বা ফসল দিয়ে, তারপর আমি এর সঙ্গে যুক্ত করতে চাচ্ছি যে নিজেদের পরিশ্রমে যতখানি করা যায় তার অতিরিক্ত কাজের জন্য অতিরিক্ত মজুর রাখতে পারবে, সংজ্ঞার মধ্যে এইটুকু অন্তর্ভুক্ত করা হ'ক। কার্যতঃ এতে যে খুব কাজ হবে তা নয়। এই বিলের মধ্যে অন্ততঃ এই মৌলিক নীতি স্বীকৃত হবে যে জমি চাষ করবে সেই জমির মালিক হবে। সেইজন্য,

clause 2(8)(c), line 2, after the word "both"

তার সঙ্গে এইটা যোগ করা হ'ক্

"by way of supplementing his own labour"

Sj. Mahitosh Rai Chaudhuri:

এই এ্যামেন্ডমেন্ট কোন রকমেই এ্যাকসেপ্ট করা যায় না।

one of the main objects of Barga system.

যেটা সেই উদ্দেশ্যটাই এতে ব্যর্থ হবে। কারণ উনি যা বলেছেন তার মানে হচ্ছে

"by way of supplementing his own labour"

ভিন্ন অন্য কোনও কারণে কেউ লোক রেখে চাষ করতে পারবে না, অর্থাৎ
widows and old people, helpless children ও disabled people

যাদের কিছু জমি মফঃস্বলে আছে, কিন্তু যারা নিজেরা পরিশ্রম করে চাষ করতে পারবে না তারা যদি লোক রেখে, মজুর দিয়ে চাষ করতে চায়, তবে সেটা তাদের করতে দেওয়া হবে না। এ প্রস্তাব কোন রকমেই এ্যাকসেপ্টেড হওয়া উচিত নয়। গভর্ণমেন্ট-এর কি ভিউ আমি জানি না। আমার মতে এ প্রস্তাব একেবারেই গ্রহণযোগ্য নয়।

The Hon'ble Satyendra Kumar Basu: Sir, my friend's proposal is that the expression "personal cultivation" should be defined to mean cultivation by servants or labourers on wages payable in cash or in kind or both by way of supplementing his own labour. Obviously, Sir, this will create great difficulty. It will be difficult to decide whether employment of servants or labourers would supplement his own labour, what his own contribution should be by way of personal labour, what percentage of labour should be provided by him, how much outside labour he will be allowed to employ, etc. There are moreover middle-class men who are employed at places away from their homes and they have a small income by raising crop on their own land at home. You have also to think of widows, lunatics, infirm persons, persons under disability, etc. Therefore, Sir, this amendment is not acceptable. Moreover, you have to think of 7 lakhs of landless labourers who will be thrown out of employment. It is a good thing that these labourers are employed for purposes of cultivation. If however you insist on personal cultivation by the owner or by members of his family, then at once these 7 lakhs of families will be thrown out of employment.

The motion of S^j. Satya Priya Roy that in clause 2(8)(c), line 2, after the word "both", the words "by way of supplementing his own labour" be added, was then put and lost.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

Sj. Nirmal Chandra Bhattacharyya: Sir, I beg to move that for clause 4(1), the following be substituted, viz.,—

"(1) Subject to the other provisions of this Act, on and after the commencement of this Act, the holding of a raiyat shall be heritable and transferable."

[3-10—3-15 p.m.]

Sir, I would place before you the effect that would be produced if this amendment were to be accepted. Sir, clause 4 declares that the raiyats will be the owners of their lands, that is to say, this clause seeks to establish the principle of peasant proprietorship. I am opposed to the principle of peasant proprietorship. I may be in the minority of one but even then I think, Sir, it would be a retrograde step. After many toils and tribulations, under the West Bengal Estates Acquisition Act land has been acquired by the State and land has to vest in the State. Now, we are declaring the peasants to be the owners of their holdings, that is to say, we are going back upon the progress that we have made. I believe, Sir,

that the ideal towards which we ought to move is the ideal of State ownership of all land. If we recognise private ownership of land, then of course we depart from this ideal to a very considerable extent.

Sir, we are visualising a state of affairs in which we shall be able to launch on well-regulated schemes of large-scale production under State management and unless we do so I do not think, Sir, that we shall be able to maximise the production of land. It is not possible for the raiyats to do so. Provisions have been made in this Bill for co-operative farming, but I do not think, Sir, that co-operative farming will be much of a success unless of course co-operative farming is placed on a compulsory basis. For this reason I think that the measure that we have accepted here in clause 4 is a retrograde step. It is not designed to serve the best interests of agriculture upon which the prosperity of as many as 52.2 per cent. of the people of West Bengal depends.

With these words, Sir, I commend this amendment to the acceptance of the House.

Mr. Chairman: Mr. Bhattacharyya, you may as well move the other two amendments under this clause and speak on them in one speech.

Sj. Nirmal Chandra Bhattacharyya: Those refer to other matters, questions which are really alien to the first.

Mr. Chairman: You can cover all of them in your speech.

Sj. Nirmal Chandra Bhattacharyya: All right, Sir. I move that in clause 4(3), in the proviso (b), lines 1 and 2, for the words "under clauses (h), (i) and (j)", the words "under clauses (h) and (j)" be substituted.

I also move that in clause 4(3), after proviso (c), the following be added, viz.,—

"(d) in the case of persons being a corporation or an institution established for an exclusively charitable purpose, on the vesting of estates in the State under the West Bengal Estates Acquisition Act, 1953, the limit of twenty-five acres shall not apply to them, only in respect of any land retained by them for exclusively charitable purpose."

In clause 4, sub-clause (3)(b) there are certain provisions which are really contrary to the best interests of the development of agriculture in our State. Sir, clause 4(3)(b) refers to section 6 of the West Bengal Estates Acquisition Act and my proposal is that sub-section (3)(i) be so amended as to exclude corporations or institutions of a religious character from possessing more than 25 acres of land. Sir, so far as charitable institutions are concerned, I understand that they ought to be encouraged, but it is very often found that religious institutions or corporations are nothing more than nests of vested interests.....

[3-15—3-20 p.m.]

and there have been many proved cases of misuse of what I may characterise as religious property. It is for this reason that I would like to exclude from the scope of section 4(3)(b) religious institutions and corporations. Sir, if we retain religious corporations and institutions and if we do not exclude them from the scope of sub-section (b), it will mean that the misuse of religious property will continue and designing persons will take advantage of this sub-clause (3)(b) and do things which are contrary to the purpose of this Bill. It is for this reason that I am opposed to

retention of religious trusts under this sub-clause. Sir, the Bill which we are discussing now has a clearly human purpose and our aim is to be humanistic. Let not the Gods be permitted to snatch away the bread from the mouths of the hungry millions of our State.

Mr. Chairman: Please speak on your amendment No. 6 also.

Sj. Nirmal Chandra Bhattacharyya: I have covered my amendment No. 6 also because under this my positive suggestion is to include charitable corporations and institutions only and to exclude religious institutions and corporations. The two are taken together and I have spoken on both.

Sj. Satya Priya Roy: Sir, I beg to move that in clause 4(3), lines 1 and 2, for the word "twenty-five" the word "ten" be substituted.

I further beg to move that in clause 4(3), proviso (c) be omitted.

I also beg to move that clause 4(4)(d) be omitted.

Mr. Chairman, Sir,

সাধারণভাবে যখন আমরা এই বিলের আলোচনা করি তখন বলেছিলাম যে ভূমি-সংস্কার বিল সম্পূর্ণ বার্থ হয়ে যাবে, কারণ, যাদের কাছে বেশী জমি আছে তারা ওই জমি রাখবার অধিকারী হয়ে যাচ্ছেন এবং সরকার যে সামান্য জমি পাবেন এই আইনের ফলে তার ভাগ-বাটোয়ারা করলে বাস্তবিক যারা ভূমিহীন তারা বিলের কিছুই পাবে না। কাজেই এতদিন ভূমি-সংস্কার বিলের নাম শুনে সাধারণের মনে যে উৎসাহের সঞ্চার হয়েছিল তা স্তিমিত হয়ে যাবে। পরিসংখ্যান তথ্যের স্ফুট বিশ্লেষণ না করেও এটুকু বলা যায় গড়পড়তা দুই একর জমিও কৃষিজীবী পরিবারের হাতে নেই, সেখানে ১৫ একর জমি কেন সর্বোচ্চ সীমা নির্ধারণ করা হ'ল তা বুদ্ধির অগম্য। ২৫ একর যেখানে নির্ধারণ করেছেন রাজস্ব মন্ত্রীমহাশয় নিশ্চয়ই জানেন ইতিমধ্যে যে সমস্ত পরিবারের প্রচুর পরিমাণে জমি আছে তারা তাদের জমি নিজেদের মধ্যে বাটোয়ারা করে নিয়েছেন এবং প্রত্যেকটি সাবালক পুরুষের নামে ওই ২৫ একর করে ভাগ করে নিচ্ছেন। ফলে, একটি একটি পরিবারের হাতে হাজার বিঘা জমি থেকে যাবে। সেজন্যে রাজস্ব মন্ত্রীমহাশয়ের কাছে বিশেষ করে আবেদন করব যে, যে বিল এনেছেন তাকে সার্থক করার জন্যে ২৫ একর জমি উচ্চ সীমা নির্ধারণ না করে সেটাকে কমিয়ে ১০ একর জমি সীমা নির্ধারণ করে দেওয়া উচিত। এর ফলে তারা যে ৬ লক্ষ একর জমি বন্টনের জন্য বলেছেন সে জায়গায় ১২ লক্ষ একর বা এমন কি ১৫ লক্ষ একর জমি তাদের হাতে এসে যাবে এবং যারা ভূমিহীন তারা কিছু জমি পাবেন।

ইকনমিক হোল্ডিং-এর প্রশ্ন উঠেছে। রাজস্ব মন্ত্রীমহাশয় বলেছেন যে ১২০০ টাকা মাত্র আয় হবে, যার ২৫ একর করে জমি আছে। সাধারণভাবে এটা হওয়া উচিত নয়, কারণ, বিঘা প্রতি ৬ মণ ধান পশ্চিম বাংলায় হতে পারে। কিন্তু, চাষের বর্তমান অবস্থা থাকবে না। সরকার নিজে বলেছেন যে নানারকমভাবে কৃষিকার্যের উন্নয়নের দায়িত্ব গ্রহণ করবেন সেট দিগ্গা, সার দিয়ে।

[3-20—3-25 p.m.]

বাস্তবিক যদি সেগুন্দি রূপায়িত হয়, যদি ইনটেনসিভ কালটিভেসন হয়, তাহলে ছোট ছোট কৃষকের হাতে জমি পেলে, তারা সেগুন্দি যদি যত্ন করে চাষ করেন, তাহলে বিঘা প্রতি ৬ মণ ফলন উৎপন্ন হয়। সেই হিসাবে যদি ধরা যায় তাহলে দেখা যাচ্ছে যে, ২৫ একর জমিতে প্রায় ৫০০ মণ ধান হতে পারে। এবং এই ৫০০ মণ ধান উৎপন্নের জন্য খরচ প্রকৃত বাদ দিয়ে অন্ততঃ দু-হাজার, আড়াই হাজার টাকা আয় হবে। এক-একটি পরিবারের মধ্যে যত সাবালক আছে, তাদের প্রত্যেকের নামে ২৫ একর করে জমি রেখে দিয়েছে, যার ফলে অজ্ঞান মনে হয়, যার হাতে যত যমি ছিল তাই থেকে যাবে, এবং সরকার জমি বন্টন করার সময় কিছুই পাবেন না। বিশেষ করে যে দেশে গড়পড়তা দুই একর করেও জমি নাই, সেখানে ২৫ একর জমির সর্বোচ্চ সীমা রেখা নির্ধারণের কোন যৌক্তিকতা আছে বলে

আমি স্বীকার করি না। সেইদিক থেকে আমার এ্যামেন্ডমেন্ট হচ্ছে যে, যেখানে ২৫ একর সর্বোচ্চ পরিমাণ নির্ধারিত হয়েছে, সেখানে এই ২৫ একরের পরিবর্তে ১০ একর সর্বোচ্চ সীমা রেখা সীমাবদ্ধ থাকুক।

তা'ছাড়া আমার আর একটা প্রস্তাব হচ্ছে ৪(থ্রি-আই) প্রভাইসো (সি)টা একেবারে তুলে দেওয়া হোক। পূর্বে যখন জমিদারী উচ্ছেদের আইন আসে তখন দার্জিলিং জেলা সম্পর্কে সরকার যে যুক্তি দেখান, সেটা অত্যন্তই দুর্বল, এ কথা সকলেই স্বীকার করতে বাধ্য। যখন পশ্চিম বাংলার দার্জিলিং এলাকার জন্য বিশেষ কোন দাবী এলো, তখন পশ্চিম বাংলার বাকুড়া, বীরভূম প্রভৃতি অন্যান্য জেলায়ও সেই দাবী আসতে পারে, কারণ, সেখানকার জমিও অত্যন্ত অনুর্বর। কিন্তু, তা না করে কিসের জন্য, বিশেষ করে দার্জিলিংএর বেঙ্গলুয় কোন রকম সীমা নির্ধারিত থাকবে না, সেখানে জমি কতটুকু রাখতে পারবে সেটা আমরা বুঝতে পারছি না। তখন আমরা যা বলছিলাম, এখনও আমরা সেই একই কারণে আপত্তি করছি দার্জিলিংকে বিশেষভাবে, ঐরকম একটা বৈশিষ্ট্য দেবার কোন যৌক্তিকতা বা সার্থকতা নাই। কাজেই এই যে প্রভাইসো (সি)তে বলা হয়েছে—

“in the case of such portions of the district of Darjeeling as may be declared by notification by the State Government to be hilly portions, the limit of twenty-five acres shall not apply to a raiyat.....”

এই প্রভাইসোটো তুলে দেওয়া হোক। এই বলে আমি, আমার যে সংশোধনী আছে তা বিবেচনার জন্য এই সভার সামনে উপস্থাপিত করছি।

SJ. Surendra Kumar Roy: Sir, I oppose the amendment of section 4(1) first. The learned member wants that the words “owner of the holding” be omitted. Well, the raiyat must have some right in the holding whatever it is. If he be not the owner, how can it be heritable, what is he going to transfer? Of course he is not the absolute owner of the land, but he has some liability to pay revenue as is enunciated in Section 22. He is not the absolute owner but he is owner to a certain extent. He has that right and it cannot be omitted. He must have some right and he must be the owner of the land.

Then as regards the amendment in clause 4(3) Satya Priya Babu says that the raiyat shall be entitled to retain not more than ten acres of land. Sir, that is not possible. Possibly Satya Babu has got no experience of villages. In order that cultivation may be remunerative, the cultivator must have at least two or three ploughs; otherwise cultivation becomes unremunerative. With one plough a cultivator can cultivate 25 to 30 bighas of land.

[3-25—3-30 p.m.]

In order that there may be remunerative cultivation we must have two to three ploughs and at least 25 acres of land otherwise it becomes quite unremunerative. Suppose a person has one acre of land and he has to keep two bullocks. He has to engage a man and bear other expenses. Then how can it be a remunerative proposition and if it is not remunerative how can he cultivate? So he must have at least 25 to 30 acres of land in order that it may be remunerative otherwise the object of the measure would be frustrated.

Dr. Monindra Mohan Chakrabarty:

মাননীয় অধ্যক্ষ মহোদয়, আমি এই ব্যাপারে কিছু বলতে চাই। আমাদের অধ্যাপক নির্মলচন্দ্র ভট্টাচার্য্য যে সংশোধন প্রস্তাব এনেছেন, তাঁর সঙ্গে আমি একমত নই। আমার মনে হয় রায়তকে স্বয়ং দেওয়া উচিত। কারণ, তাদের অবস্থার দিক দিয়ে বিবেচনা করলে দেখা যাবে, তা দেওয়ার প্রয়োজনীয়তা আছে। তার সম্বন্ধে আমার বিশেষ কিছু বলবার নাই।

সত্যপ্রিয় রায় মহাশয় তাঁর সংশোধন প্রস্তাবে জমির সর্বোচ্চ সীমা ২৫ একরের পরিবর্তে ১০ একর করতে বলেছেন, এটা আমি সমর্থন করি। আমাদের মাননীয় ভূমিরাজস্ব মন্ত্রী মহাশয় যে পরিসংখ্যান আমাদের কাছে পেশ করেছেন তাতে বলা হয়েছে ২৫ একর করে জমি রাখতে পারবেন এই রকম লোকের সংখ্যা ৩৮ হাজার হবে। এবং সবশুদ্ধ তাঁরা সাড়ে নয় লক্ষ একর জমি পাবেন। এবং তারপর ৬ লক্ষ - ৪০ হাজার একর মাত্র জমি প্রকৃতপক্ষে বন্টনের জন্য পাওয়া যাবে। আমি কালকে দেখিয়েছি ৬ লক্ষ ৪০ হাজার একর জমি নয়, তার চেয়েও কম আছে। সেটা নী হয় ধরেই নিলাম যে ৬ লক্ষ ৪০ হাজার একর জমি পাওয়া যাবে; কিন্তু এখন যদি সত্যপ্রিয় রায় মহাশয়ের সংশোধন প্রস্তাব গৃহীত হয়, তাহলে আরো সাড়ে চার লক্ষ একর জমি বন্টনের জন্য পাওয়া যাবে। সত্যপ্রিয় বাবু যা বলেছেন যে জমির যে ফলনের হিসাব মন্ত্রী মহাশয় ধরেছেন, সেইভাবে ধরা ঠিক উচিত হবে না। তার কারণ, হচ্ছে যে আমাদের দেশে যে সমস্ত উন্নত ধরণের উৎপাদন পদ্ধতি ভবিষ্যতে অনুসৃত হবে, তা গ্রহণ করলে আমরা অন্ততঃপক্ষে বিঘা প্রতি ১০।১২ মণের চেয়েও বেশী ফসল পেতে পারবো। বার্ষিকে হয় ২০ মণ, চীনে হয় ২৪ মণ বিঘা প্রতি। অবশ্য তার কারণও আছে। যা হোক আমরা সকলে আশা করতে পারি ফলন যা ধরা হয়েছে বিঘায় ৫।৬ মণ, তার পরিবর্তে অন্ততঃ দ্বিগুণ যদি হয়, তাহলে ১০ একর জমিতে এখন হিসাব করছি, অর্থাৎ একটা পরিবারের ১০ টাকা আয় হবে প্রতি মাসে, সেই আয়ই থেকে যাবে। উনি এইসব পরিসংখ্যান দেবার সময় বিগত ২০ বৎসরের হিসাবের গড় তুলে দিয়েছেন। কিন্তু আগামী ২০ বৎসরের ফলনের হিসেবের গড় তার সঙ্গে কখনো এক হতে পারে না। আমরা জানি জমির উন্নতির জন্য অনেক কিছু ব্যবস্থা হচ্ছে। আমরা যখন জানি ভূমিহীন চাষীর পক্ষে জমি পাওয়াটার একটা মনস্তাত্ত্বিক গুরুত্ব আছে। অতএব সেই মনস্তাত্ত্বিক দিক থেকে দেখতে গেলে দেখা যাবে জমি বন্টন যত বেশী হতে পারে ততই ভাল। মাননীয় সুরেন্দ্রনাথ রায় মহাশয় বললেন যে ১০ একর করে জমি যদি দেওয়া হয়, তাহলে সেটা লাভজনক হবে না, অর্থনৈতিক দিক দিয়ে অত্যন্ত ক্ষতিকর হবে। এই আইন বলে এই সমস্ত জমির মালিক যাদের ১০ একর জমি থাকবে, তারা স্বচ্ছন্দে সমবায়ের মধ্যে যেতে পারবে। সমবায়ের মধ্যে নিয়ে আসাই এই বিলের লক্ষ্য। যারা সমবায়ের মধ্যে যেতে পারবে তাদের পক্ষে সুবিধা হবে। কাজেই এই জমির পরিমাণ যদি ১০ একর করেন তাহলে সেই উদ্দেশ্যই সাধিত হবে। অতএব সত্যপ্রিয় রায় মহাশয়ের প্রস্তাব আমি সর্বান্তঃকরণে সমর্থন করছি।

The Hon'ble Satyendra Kumar Basu: Sir, we must be guided by the conditions prevailing at the present moment. Not being a fortune-teller I cannot tell the House what is going to happen 10 years hence and therefore, I must proceed on the basis of the present figures, namely, that during the last 20 years the average production per bigha has been about 5 maunds of paddy, and the average price has been Rs. 7-4. Sir, I have made a calculation. If a person has 75 bighas, that is to say, 25 acres of and, it will yield 375 maunds of paddy....

[3-30—3-35 p.m.]

and if you deduct the cost of cultivation the total quantity of paddy available to him will be about 150 maunds. If you calculate the price at Rs. 7-4 per maund which has been the average price during the last 20 years, then the total income comes to Rs. 1,078. That is the total income which he gets out of the 75 bighas. If you deduct from that sum the revenue which he will have to pay, say, Rs. 132 that leaves a balance of Rs. 945 which means an income only of Rs. 80 per month in respect of a family which we assume consists of 5 members. The income may be Rs. 90 per month. That is to say, it is about Rs. 16 or Rs. 18 per head per month. I do not think, Sir, anybody can contend that that income is rather extravagant or the area allowed to be retained by a family is extravagant. It is neither excessive nor is it meagre. My friend S. Satya Priya Roy

has suggested that if you fix a lower ceiling of 10 acres, then you will get as much as 15 lakh acres. My friend's arithmetic does not seem to be correct because as I told you yesterday 38,000 owners have 16.70 lakh acres. If you deduct from that area 15 lakh acres it will leave a balance of 1 lakh 70 thousand acres only. If you divide 1 lakh 70 thousand acres by 38,000 it will get only about 4 acres per owner. My friend's figures are all wrong. Then my friend has agitated about the provision for exclusion of the hilly portions of the Darjeeling district. My friend forgets that the hilly portion has already been excluded by an amendment of the Estates Acquisition Act which has been passed by both the Houses. The provision of the Bill must be consistent with the Estates Acquisition Act as it stands. Therefore, you must exclude the hilly portions of the Darjeeling district from the prescribed provisions as regards ceiling. That area stands on a different footing by reason of the situation of the land, the cost of cultivation, the difficulty of cultivation—cultivation has to be done by terracing a only small portions of the lands are actually available for cultivation. There is a lot of waste land. You cannot employ plough cattle on account of the altitude and the slope. The cost of cultivation is also very high. Agricultural conditions are quite different in the hilly portions of the Darjeeling district. This exemption affects only a very small area. It would only apply to notified area—the area notified as the hilly portions of the Darjeeling district. The State Government has a discretion for the purpose of notifying a particular area as the hilly portions of the Darjeeling district. Then my friend has suggested that clause 4(3)(e) may be omitted, that is to say, that the raiyat should be allowed to sub-let. This is a very strange suggestion. We have just eliminated all the intermediary interests. Our scheme is that there should be no letting, there should be no middleman or rent receiving interest. If letting is permitted it will defeat the very purpose for which land reforms are being introduced in this State. This is a necessary corollary in order to put an end to all intermediary interests between the State and the raiyat. If you allow letting then it will again develop into a worse form of zemindary system and frustrate the object of the legislation. Then, Sir, my friend Prof. Bhattacharyya has suggested that the raiyat should not be given the right of ownership.

[3-35—3-45 p.m.]

I consider that to be a very retrograde suggestion. Unless you give him the right of ownership he cannot get a heritable right or a transferable right. If he does not become an owner, he does not get a right which he can pass on to his successors. In other words, what my friend is suggesting is that the State should replace the zemindars and become a zemindar itself and that all the raiyats should become mere tenants under the State and their rights should be subject to all the infirmities of tenancy rights. But, Sir, we want to create a psychology favourable for good husbandry; we want to create confidence in the raiyat in his own efforts at cultivation. State ownership would not create the necessary incentive to effective cultivation. We have, therefore, provided in the Bill that the raiyat would be the owner of the land and his right would be heritable and transferable.

Sir, my friend has suggested that in this clause reference to item (i) of section 6(1) of the Estates Acquisition Act should be omitted. Item (i) of section 6(1) of that Act is as follows: "Where the intermediary is a corporation or an institution established for an exclusively religious or charitable purpose, or both, or when a person holds in trust or endowment or other legal obligations exclusively for a purpose which is charitable or

religious or both, land held in khas by such corporation or institution or person for such purpose". This may be allowed to be retained. In one of his proposed amendments my friend suggested that we should introduce the expression "for such purpose" in this clause. Sir, you must have noticed that the Estates Acquisition Act, as it was originally passed by the Legislature, provided that in case of trust, or English trust or charitable institution, the trustee would be entitled to retain all khas lands and also be paid ad-interim compensation and compensation in perpetuity equal to the net income of the portion which is income-yielding and which is taken over by the Collector. In the case of Hindu endowments unfortunately they were treated in a different way. They were treated as ordinary intermediaries and they were permitted to retain only khas land to the extent of 25 acres; the rent receiving interest would be taken over and such an endowment would be entitled to payment of compensation for a period of twenty years calculated on the graded scale, that is to say, after twenty years such endowment would cease to get any compensation or income. We thought that trusts and endowments should be put on the same footing—that is to say, they should be allowed to retain all the khas lands which they require for such purposes; and with regard to the rent-receiving interests the State should take them over and pay compensation in perpetuity equal to the net income of that portion of the estate. My friend will remember that most of these institutions are composite in nature. They are both religious and charitable. You will come across very few institutions which are purely religious. They are composite in the sense that they provide for the feeding of the poor, distribution of cloth during pujas, blankets during winter and so on and so forth; some of them maintain schools, colleges, dispensaries, roads, and so on and so forth. Therefore, these must be provided with a source of income which will continue so that these objects may be carried out from year to year. That is why the provision has been made in the way that it appears in the Bill. That also explains why I cannot accept my friend's amendment as contained in item 6 of his proposed amendments.

I oppose all the proposed amendments.

The motions of Sj. Nirmal Chandra Bhattacharyya—

that for clause 4(1), the following be substituted, viz.,—

"(1) Subject to the other provisions of this Act, on and after the commencement of this Act, the holding of a raiyat shall be heritable and transferable."

that in clause 4(3), in the proviso (b), lines 1 and 2, for the words "under clauses (h), (i) and (j)" the words "under clauses (h) and (j)" be substituted, and

that in clause 4(3), after proviso (c) the following be added, viz.,—

"(d) in the case of persons being a corporation or an institution established for an exclusively charitable purpose, on the vesting of estates in the State under the West Bengal Estates Acquisition Act, 1953, the limit of twenty-five acres shall not apply to them, only in respect of any land retained by them for exclusively charitable purpose."

were then put and lost.

The motions of Sj. Satya Priya Roy—

that in clause 4(3), lines 1 and 2, for the word “twenty-five” the word “ten” be substituted,

that in clause 4(3), proviso (c) be omitted, and that clause 4(4)(d) be omitted,

were then put and lost.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Clauses 5 to 15.

The question that clauses 5 to 15 do stand part of the Bill was then put and agreed to.

Clause 16.

Sj. Satya Priya Roy: Sir, I beg to move that in clause 16(1)(a), line 1, for the figures “50:50”, the figures “60:40” be substituted.

এর আগে আমি আপত্তি করেছিলাম যে জমির মালিককে ২৫ বিঘা জমি দেওয়া উচিত নয়। আমরা ভূমি-সংস্কার বিলে বিশেষ করে যে জিনিষটা দেখছি সেটা হচ্ছে যারা কৃষিজীবী নয়, জমি যারা নিজেরা চাষ করবে না তাদের হাতে জমি বেশী করে রেখে দেওয়া এবং বর্গাদারদের দিয়ে যখন তারা চাষ করাবে, তখন বর্গাদারদের তারা যাতে বেশ করে শোষণ করতে পারে, তারই ব্যবস্থা যেন এই ভূমি-সংস্কার বিলে করা হয়েছে। সেজন্য আমার প্রথম আপত্তি ছিল যে জমির সম্বোধন সীমা নিশ্চারণ করে দিতে হবে ২৫ একর নয়, ১০ একর এবং তার সঙ্গে সঙ্গতি রেখে যারা নিজেদের জমি চাষ করবে না, পারিশ্রম উপজীবী যারা, তাদের জমি থেকে যে ফসল তারা পাবে তার ভাগ কমিয়ে দেবার জন্য আমি এই সংশোধনী প্রস্তাব এনেছি। সাধারণভাবে চাষীর সম্পর্কে এই নীতি আমাদের স্বীকার করে নিতে হবে যে, যারা জমি চাষ করবে, যারা সোনার ফসল ফলাবে পারিশ্রম করে, তাদের উৎপন্ন ফসলের বেশী ভাগ দিতে হবে। এখানে আমি যে সংশোধনী প্রস্তাব এনেছি সেখানে বলা হয়েছে যে জমির মালিক যদি গরু, হাল এবং সার এই সমস্ত দেয় তাহলে উৎপন্ন ফসলের ভাগ বেড়ে যাবে আধাআধি, অর্থাৎ যারা উৎপন্ন করবে, যারা মাথার ঘাম পায়ে ফেলে সোনার ফসল ফলাবে, তারা ভাগ অর্ধেকের বেশী পাবে না। কিন্তু এটা শুধু সার, গরু এবং বীজের কথা আছে। এখানে আমার বন্ধুদের সুরেন বাবু বলেছেন যে গ্রামের সঙ্গে আমার কোন পরিচয় নেই। বাস্তবিক আমি চাষী এবং চাষীর ছেলে বলে আমি গৌরব করি। আজকে অল্প গৃহহারা হয়ে ছিন্নমূল অবস্থায় বাস করছি। কাজেই জমির সঙ্গে আজকে হয় ত সম্পর্ক নেই কিন্তু আমার জীবন কেটেছে গ্রামে, চাষীর পরিবারে আমি জীবন কাটিয়েছি। আমি জানি যে এই যে ধারা আছে, এই ধারার সুযোগ নিয়ে যে বর্গাদার নিজেরা গরু দেবে, যে বর্গাদার নিজে বীজ দেবে, যে বর্গাদার নিজে সার দেবে, তার উপর যার জমি সে শুধু তার অবস্থার সুযোগ নিয়ে কবুলিয়ত লিখে নেবেন যে আমি গরু দিচ্ছি, সার দিচ্ছি, বীজ দিচ্ছি, কাজেই অর্ধেক ভাগ আমার। এই রকম একটা মস্ত বড় দুনীতিকে শুধু প্রশ্রয় দেওয়া হবে, এই যে ব্যবস্থা রাখা হয়েছে যে গরু, সার, এবং বীজ দিলে জমির মালিক অর্ধেক ফসল পাবে। সৈদিক থেকে জমির মালিকের সুবিধা এই ধারা অনুযায়ী যতটা কমিয়ে দেওয়া যায় তা যদি করা হয় তাহলে এই যে দুনীতি, যা সমস্ত জমির মালিকরা করে থাকেন আমরা জানি এবং এর পরেও করবেন বলে আমরা জানি, তারজন্য তাদের উৎসাহ হয় ত কমে যাবে, দুনীতি হয় ত কমে যাবে। সেজন্য আমার প্রস্তাব হচ্ছে যে যখন তারা বলবে যে আমি গরু, বীজ, সার দিচ্ছি, তখন অর্ধেক ফসল পাবে না জমির মালিক, ৪০ ভাগ পাবে এবং যে বর্গাদার চাষ করে ফসল ফলাবে সে পাবে ৬০ ভাগ। কিন্তু যখন বীজ, সার, সবকিছুই দেবে বর্গাদার, তখন তার ভাগ ৬০ ভাগ না থেকে—বাংলাদেশের যে আন্দোলন ঐতিহাসিক হয়ে গেছে এবং যে দাবী বাস্তবিকই ন্যায়ের ভিত্তিতে প্রতিষ্ঠিত

অর্থাৎ ৩ ভাগ করে নিলে ফসলের ২ ভাগ পাবে যে ফসল ফলিয়েছে, এবং শুধু ১ ভাগ পাবে যে জমির মালিক হয়ে বসে আছে। সেজন্য আমার প্রস্তাব হচ্ছে ১৬(১)(বি) ধারা অনুযায়ী গরু, হাল, বীজ দিলে পর বর্গাদার ৬০ ভাগ মাত্র পাবে ফসলের, সেখানে তাদের ভাগ হওয়া উচিত ৬৬ঃ এবং সেখানে জমির মালিক, রায়ত, তাদের ভাগ হওয়া উচিত ৩৩ঃ। এই হচ্ছে আমার বক্তব্য। আশা করি রাজস্ব মন্ত্রীমহাশয় আমার পক্ষে একমত হয়ে অন্ততঃ বর্গাদারদের এইটুকু সন্নিধা করে দিতে রাজী হবেন।

[3-45—3-55 p.m.]

Sj. K. P. Chattopadhyay: I beg to move that in clause 16(1)(b), for the figures "60:40" the figures "75:25" be substituted.

Sir, I have been listening to the speeches by the Hon'ble Minister-in-charge of the Bill and from his remarks I feel constrained to conclude that he has forgotten the elementary rules of addition and subtraction. Of course, he is in very distinguished company. Some years ago I heard a very well-known Professor of Philosophy remark that he had forgotten the rule of division. So if he tries to emulate his example by going even further, I have no objection. It has been stated in clause 16(1)(a) that the crops on any land cultivated by a bargadar shall be divided between the bargadar and the person whose land he cultivates in the proportion of 50:50 in a case where plough, cattle-manure and seeds necessary for the cultivation are supplied by the person holding the land. During the first reading of the Bill the Hon'ble Minister said that this was a great improvement. I agree it is an improvement over the previous pitiable condition of the bargadar. I am not going to discuss that aspect of the matter but he is committed to that. At the same time he stated that the cost of cultivation was represented by one-third of the gross produce that was what he actually remarked.

The Hon'ble Satyendra Kumar Basu: That is in the Bargadars Act itself.

Sj. K. P. Chattopadhyay: Yes, it may be in the Bargadars Act. But it does not make it holy. As a matter of fact it is not quite correct although it is very nearly correct. It is worthwhile on the part of those who frame these Bills and try to steer them through the Council to read what work has been done and published by Government organisations who specialise in study of crop production. I will give you some figures from the Report on Cost of Production of Crops, Vol. VI, Bengal, published by the I.C.A.R.—it was known as Imperial Council of Agricultural Research, it is now known as Indian Council of Agricultural Research, 1938. Six villages of Rajshahi and Bogra and six villages in Bankura and Birbhum were kept under regular observation for a period of three years 1934-35, 1935-36, 1936-37—and the very exact data collected have been published. It was found that in the good land which we find in North Bengal, the cost of cultivation was as low as 24 per cent.; whereas in the infertile land in Birbhum, it was as high as 35 per cent. The mean is of course 29 per cent. Now that one-third or 33 per cent. is a very rough and ready way of calculation which the officials have taken perhaps but it should not be treated as something holy. Nevertheless since the Hon'ble Minister sticks to 33 per cent. what are the implications? I hope he will see the logic or lack of logic of the framing of the sections. Where the owner pays for the cost of cultivation, namely, plough, cattle, manure, seeds, etc., he has to get 50 per cent. In other words he will have a surplus of 17 per cent. less than what he will pay as revenue. I understand it will be somewhere near 15 per cent. or 10 per cent.—I am not sure. May I

ask the Hon'ble Minister to help me in this matter? (Sj. Surendra Kumar Roy: It will go up to 20 per cent.). If it really goes up to 20 per cent., then the owner will have nothing according to the Minister himself, according to his own figures. Having stated this under clause 9 he goes on to say "but when the bargadar pays the expenses for plough, cattle, manure and seed, he shall get only 60 per cent. instead of 50 per cent." that is to say, the implication is that the cost of cultivation is 10 per cent. Where is the logic behind such a statement? If the cost is 33 per cent., surely that 33 per cent. should be added to 50. I am not suggesting, however, that this should be done. Since land is going to be improved, and the quality of land in West Bengal is going to be improved, due to irrigation facilities that are coming, and manuring will be more common, I have taken the lower value 24 or 25 per cent. and have added this to 50 so as to make it 75 and 25. I am merely asking my honourable friend to be more logical to do something which will show that he understands the simple rule of arithmetic, addition. Unless he does all that his own Bill will be thrown in his face and tremendous agitation will develop. Unless he amends this clause like that what will happen? The owner will find that it is not worthwhile on his part to supply plough, cattle, manure and seed at all. If he does that he is a loser. So, is it the idea that you are going to dissuade the owner from using his capital to help the bargadar in producing more crop? Will that be in the interest of the State or of India as a whole? We want more crops to be grown and the owner who lets out his land is generally a person who will have more resources than the share-cropper. I am not talking of widows, lunatics and others to whom the Hon'ble Minister referred, but of the vast number of people who let out land on barga who are not really poor people. In any case they very often supply seed, manure, etc. Now this particular sharing will completely dissuade them, put a stopper to their extending such help. They will say that if we do that we will get nothing. They will say that if we offer help through plough, cattle, manure and seeds, etc., nothing will be left to us. Then his clause will become a dead letter. Why have such a clause in the Act? This will not be in the interest of agriculture. Hence I move this particular amendment. I am unable to agree with my friends on this side who have moved other amendments—Shri Satya Priya Roy has suggested 60:40 for the earlier clause under the apprehension that the peasant will not be able to safeguard his own interest. I think at the present moment with adult franchise and the peasant organisations all over the country, they are not so helpless as he thinks, they will be able to stand up for their rights.

Sj. Surendra Kumar Roy: I oppose both the amendments. In case the owner supplies plough, cattle, manure and seeds necessary for cultivation, he gets only 50 per cent. of the produce. In case of failure due to drought or for other reasons, in case of failure of crops, he gets nothing and all his cost of seed, cattle, manure, etc., is lost. Moreover he has to pay revenue which under this Bill goes up to 20 per cent. and he has also to pay canal tax, etc. After paying the canal tax and revenue and supplying plough, cattle, manure and seeds what he gets? He gets only 50 per cent. That is practically nothing. The owner gets practically nothing in this case. So 50 per cent. should not be reduced at all.

[3-55—4 p.m.]

In other cases the proportion is 60:40—the bargadar gets 60 per cent. and the owner gets 40 per cent. I say the owner has been victimised in this case because the owner has to pay the revenue which goes up to 20 per cent.; the owner has to pay canal tax, etc., which goes up to a certain extent. He owns the land, he has purchased the land, he has to live on

it; he must get something, and if 60 per cent. goes to the bargadar, the owner gets only 40 per cent. Out of that he has to pay revenue, he has to pay canal tax and meeting all these taxes and revenue what remains with him? Practically he gets nothing. His share should not be reduced any more.

It is also said that the cost of cultivation goes up to 29 per cent. or 30 per cent., taking the mean of it. Well, if the cost of cultivation comes up to 30 per cent., in that case the bargadar gets 30 per cent. as his remuneration. The bargadar gets 60 per cent., so the bargadar's remuneration is 30 per cent., and what the owner gets? The owner gets 40 per cent. Out of that he has to pay revenue and the canal tax. He does not get 30 per cent. for his ownership of the land.

For these reasons I oppose both the amendments.

Sj. Nirmal Chandra Bhattacharyya: Sir, I beg to move the amendment that stands in my name which runs as follows: that in clause 16(1)(b), for the figures "60:40" the figures "66 $\frac{2}{3}$:33 $\frac{1}{3}$ " be substituted.

Sir, it is to be remembered that in this case the bargadar not only works on the land but also supplies all the materials and implements for cultivation. If we take that into consideration, the figure 33 $\frac{1}{3}$, which represents the share of the owner, would not appear to be unjust at all. Sir, Mr. Roy has said that he has to pay revenue, he has to pay canal tax. Supposing that he has to pay revenue at the highest, say, 20 per cent., canal tax would not come up to more than one per cent., even then the owner is left with 12 $\frac{1}{3}$ per cent. That is certainly a fair proportion for the owner who really does nothing at all excepting perhaps inheriting land from his father.

Sir, we have to look at this problem from another point of view. It is to be remembered that in many areas of West Bengal this proportion is being adhered to at present—66 $\frac{2}{3}$ for the bargadar and 33 $\frac{1}{3}$ for the owner—when the former supplies all the implements and the materials for cultivation, and if we accept the proposal of the Hon'ble Minister contained in clause 16, it will mean that we shall go back upon the present custom prevailing in many parts of our State. In West Dinajpur, I know, in many parts, this is the figure that obtains at the present moment, and 66 $\frac{2}{3}$:33 $\frac{1}{3}$ is a proportion that has been won by the blood of the peasants in some areas of rural Bengal also.

Sir, it is very surprising that the Minister is determined to go against the practice that is being followed today in many parts of West Bengal. In view of this, I think, Sir, this is a highly acceptable amendment. Finally, if we look at it from the point of view of social justice we will notice that there is very great justification for accepting this proposal.....

[4—4.5 p.m.]

because the bargadar is really a person who is perhaps the lowest in the social rung and it is necessary that in an one-third State such person should be given protection against economic exploitation.

Sir, with these words I commend this particular amendment to the acceptance of the House.

The Hon'ble Satyendra Kumar Basu: Sir, I am not prepared to accept any arithmetic or logic from my friend Sj. K. P. Chattopadhyay. I shall explain how the position stands under the Bargadars Act and how it will be under the provisions of this Bill.

Cultivation under the barga system is really an enterprise in partnership—the owner contributes his land and the bargadar contributes his labour. Under the Bargadars Act, it is provided that out of the produce the price of the seeds must be provided for first. I shall assume for the purpose of convenience that such costs come up to $3\frac{1}{3}$ per cent.—the balance is to be divided as between the owner and the bargadar in the proportion of one-third each and the remaining one-third is to meet the costs of cultivation. Sir, what normally is done is this. One-third of the balance remaining after meeting the price of the seeds goes to the owner and one-third goes to the bargadar. With regard to the remaining one-third which is to meet the costs of cultivation, where any item is provided by the bargadar, he gets full credit for it and where the owner provides it, the owner gets credit for it and where nobody does it, the quantity referable to an item of costs not incurred is divided between the owner and the bargadar, so that normally the owner gets more than one-third and in some districts the owner gets as much as one-half—that is why the expression “adhiar” is being used in some districts.

Now, Sir, we have provided in this Bill that if the owner meets or provides all the costs of cultivation, i.e., supplies seeds, plough, cattle and so on and so forth, everything that is required for the purpose of cultivation, then only he will get 50 per cent. But under the Bargadars Act, if he had done so, he would have got about 70 per cent. because he would be getting one-third as owner's share, one-third for the cost of cultivation and $3\frac{1}{3}$ per cent., as I have mentioned for the purpose of convenience, on account of the price of the seeds. So, the total he would get if he supplied everything is 70 per cent. In the place of 70 per cent. we have provided that where the owner supplies everything, he will get only 50 per cent. so that so far as the owner's share is concerned, there is a reduction of 20 per cent. In order to entitle him to get 50 per cent. he must meet all the costs of cultivation. Supposing he supplies plough and cattle but he does not supply necessary irrigation water or seeds, he gets only 40 per cent. So, the provision made here is greatly to the advantage of the bargadar. That is why the proportion has been set out as provided in this Bill. Under these circumstances, I oppose all the amendments proposed by my friends—one has proposed that the bargadar should get 60 per cent., another has said he should get 75 per cent. and another has suggested that he should get $66\frac{2}{3}$ per cent.

Sj. K. P. Chattopadhyay: They are not on the same footing.

The Hon'ble Satyendra Kumar Basu: I do not know what the footing is, but the arithmetic is wrong.

The motion of Sj. Satya Priya Roy that in clause 16(1)(a), line 1, for the figures “50:50”, the figures “60:40” be substituted was then put and lost.

The motion of Sj. K. P. Chattopadhyay that in clause 16(1)(b), for the figures “60:40” the figures “75:25” be substituted was then put and lost.

[4-5—4-10 p.m.]

The motion of Sj. Nirmal Chandra Bhattacharya that in clause 16(1)(b), for the figures “60:40” the figures “ $66\frac{2}{3}:33\frac{1}{3}$ ” be substituted, was then put and lost.

The question that clause 16 do stand part of the Bill was then put and agreed to.

Clause 17.

Sj. K. P. Chattopadhyay: Sir, I beg to move that in clause 17(1)(a), lines 2 and 3, the words "or has neglected to cultivate it properly" be omitted.

Sir, just now I have moved an amendment to do justice and also to act logically with regard to the sharing of crops. The Hon'ble Minister has said that he is not prepared to accept that logic. Well, let it remain illogical. He has got the majority and majority seems to count for more than logic or justice. Sir, the clause that we have just passed, clause 16, will make it very difficult for the bargadar to cultivate the land properly. A good deal has been said by my friend Mr. Roy on the other side when he talked about the owner getting only 10 or 12 per cent. or even less and the bargadar getting 50 per cent. for nothing. Sir, that "nothing" is working 14 hours a day when it rains hard, wading in the mud to transplant the seedlings, carrying on plough cultivation under the blazing sun of Baisakh and Jaistha. I have seen them at work—I have never done it myself—and I know the amount of work they have to put in. If you calculate only the wages of a day labourer who will do that sort of work, you will find that—again I will quote from the Report of the Indian Council of Agricultural Research—the agricultural labourer gets wages equal to the value of 25 per cent. of the crop on an average. The agricultural labourer gets 28 per cent. in Rajshahi and 22 per cent. in Birbhum. The twenty-five per cent. of the crop which the share-cropper gets out of the produce is really his own labour—labour of a poor raiyat, a khet majoor. If you give him 30 per cent. over the expense incurred as seeds etc., even that will only be his wages for labour. You must satisfy his needs because that alone will ensure proper cultivation of land. He has been hoping against hope for something, and now that freedom has been attained you must do something for him, but unfortunately, you have just now passed a clause which will give him nothing after deducting the cost of cultivation. If he spends as much as 25 per cent. or more on seed and manure and cattle and plough, etc., and if he works hard, all that he will be getting will be equivalent to his own labour and nothing more will be left, whereas the owner who will be contributing nothing towards cultivation will be getting a substantial amount by merely paying the rent. Under these circumstances you cannot expect him to do hard work which, as I have said, will not be in the interest of the State. In these circumstances there may be failure to put the best of one's efforts to cultivate the land and it will lead to endless dispute as to whether the bargadar has or has not cultivated the land properly.

Now, this particular clause will help the owner to snatch away the land from the bargadar if he wants to do so under the pretext that he has neglected to cultivate it properly. Who will assess it? Will you appoint a particular assessor, a special tribunal or what? That cannot be done. That is why I have moved that this particular clause should be deleted.
[4-10-4-15 p.m.]

Mr. Chairman: Sj. Satya Priya Roy, you may move amendment No. 13 but I am afraid your other amendment,—amendment No. 14—is out of order. It is of a mandatory character. Your amendment envisages a provision which is incapable of being performed, because no one can force a person who is not available in a place. The evicted bargadar may be out of town at the time. So I rule this amendment out of order.

Sj. Satya Priya Roy: Sir, may I move it in an amended form: "If available" because the spirit is there?

Mr. Chairman: That is also a pious wish and nothing else.

Sj. Satya Priya Roy: Sir, I beg to move that clause 17(1)(d) be omitted.

আমি এই ১৭(১)(ডি) ধারাটী তুলে দেবার জন্য বলছি। এই (ডি) উপধারায় আছে জমির মালিক যদি ব্যক্তিগত চাষে জমি নিয়ে আসতে চায়, তাহলে জমির মালিক বর্গাদারকে তুলে দিতে পারবে। আমার মনে হয় আজ পশ্চিম বাংলার সর্বত্র যে গন্ডগোল চলছে বর্গাদার এবং জমির মালিকের মধ্যে তার একমাত্র কারণ হচ্ছে এই উপধারাটা। চতুর্দিকে কি রকম এই নিয়ে একটা অসন্তোষ ছড়িয়ে পড়েছে, তা রাজস্বমন্ত্রী মহাশয়ের নজরে নিশ্চয়ই এসেছে। এই ধারাটার জন্য আমি বলবো ভূমি-রাজস্ব বিলকে কখনই বর্গাদাররা আশীর্বাদ জানাবেন না। এই ধারা-উপধারা লক্ষ্য করে জমির মালিক যখন খুসী, তখন তার নিজের চাষে নিয়ে আসতে পারবে, এই অজুহাতে বর্গাদারকে উচ্ছেদ করার জন্য চেষ্টা করবেন। তবে যদি রাজস্বমন্ত্রী মহাশয় অনর্থক জমির মালিক ও বর্গাদারের মধ্যে একটা ঝগড়া সৃষ্টি করে রাখতে চান, তাহলে এই উপধারাটী যেমন আছে তেমন রাখতে পারেন। তা না হলে বলে দিতে পারেন বর্গাদার যদি ভাল করে চাষ করে, তাহলে ব্যক্তিগত চাষের প্রয়োজনে ও মালিককে জমি দিতে পারবে না। তাহলে আমার মনে হয় ভবিষ্যতে কেন, বর্তমানে যে মালিক-বর্গাদারে গোলযোগ চলছে তাও দূর হয়ে যাবে। তাই আমি এই সংশোধন প্রস্তাবটী দিয়েছি যে এই ১৭(১) ক্লজের (ডি) উপধারাটী ওমিট করা হোক।

Sj. Surendra Kumar Roy: Sir, I oppose both the amendments. As regards the amendment of Sj. K. P. Chattopadhyaya, I submit that in the clause it is given: "No person shall be entitled to terminate cultivation of his land by a bargadar except under such and such circumstances..." and the circumstances are—that he has neglected to cultivate properly, has kept it fallow, etc. Suppose he has got 40 bighas in one plot. Now one plough for cultivating 30 bighas is sufficient. He may cultivate 30 bighas with the help of one plough first and the rest 10 bighas he may cultivate in the month of Bhadra. That will not be proper. Sj. Chattopadhyaya wants good production and more production and in that case the lands should be cultivated properly. If he does not do so the bargadar has no right to keep it. (Dr. Monindra Mohan Chakrabarty: Who is to decide that?) Section 18 says "Every dispute between a bargadar and the person whose land he cultivates in respect of any of the following matters, namely, termination of cultivation by the bargadar....."

[4-15—4-20 p.m.]

That is provided in clause 18(b) because in that case it shall be decided by an officer or authority as the State Government may appoint. So when the bargadar does not cultivate the land properly he will not be entitled to hold it and he ought to be evicted from the land.

Dr. Monindra Mohan Chakrabarty:

আবার ঝামেলার কথা।

Sj. Surendra Kumar Roy: If Monindra Babu goes to rural areas he will find that the Jhamela is for the owner, not for the bargadar. Nowadays the officer will say "well, the bargadar is there, he should not be evicted", as if the owner of the land is nobody. All the Jhamelas are to be met by the owner and not by the bargadar. The ordinary raiyat must have some land to maintain himself and his family. In case of the landlord you may say something but in the case of an ordinary raiyat you cannot say that. As regards the omission of clause 17(1) when a person owning the land requires that for bringing it under personal cultivation he shall be entitled to evict the bargadar. If a person serves elsewhere, then he comes back and wants the land to cultivate himself would he not be allowed to do so? If a minor after attaining the age of majority wants to cultivate himself, would he not be allowed to do that? If a widow owns

some land and lets out, would not the reversionary heir of the widow after her death be allowed to cultivate the land personally? If he requires it for *bona fide* requirement he must have it. *Bona fide* requirement has been clearly stated in the Bill. So, with these observations I oppose both the amendments.

Sj. Mohitosh Rai Choudhury: Sir, my friend Sj. Satya Priya Roy and many of the friends opposite are out for brigandage. They want to deprive the people of whatever.....

Sj. Satya Priya Roy: I object to the word "brigandage".

Sj. Mohitosh Rai Choudhury: I withdraw it if it is jarring on the ears of my friend opposite. But this is the psychology behind the argument that has been put forward, that, one who has let out his land on barga system will under no circumstances be allowed to get it back. What does it mean? It means that if the land is destroyed by keeping it fallow, by not properly manuring and properly cultivating it, even in these cases the owner must have no remedy. And why? Because his existence is not palatable to my friends of the Opposition! And for that reason, he will have to stand helpless all the time the bargadar destroys the land! But my friends forget that this will mean a loss to the country. Even in the case of a raiyat who is the absolute owner, if he does not properly keep his land in a state of proper cultivation, if he neglects to bring all his land under cultivation he will forfeit that land and the State will have the right to sell it—you will find that provision somewhere in the Bill. But in the case of a bargadar, our friends want that all lapses on his part shall have to be condoned. How beautiful!

[4-20—4-30 p.m.]

My friends have forgotten that this barga system has been allowed for two reasons; first to do good to the innumerable number of landless people for whose benefit provision has been made that the owner will be permitted to let out some of his land. In the second place, my friends have forgotten, as I pointed out yesterday, that many of these people who will have 25 acres of land had much more; they have been deprived of the major part of this landed property keeping for them only 25 acres. It is out of these 25 acres that they can let out some on barga system. And, Sir, if after sometime these people find that some of this meagre quantity of land let out by them to the bargadars is being wasted, still my friends would stand in the way of that land being taken away from the bargadars!! Really, Sir, I cannot understand my friends' logic. This logic is intelligible only to those who are out for brigandage.

[Interruption.]

But, Sir, as the Congress is out for doing justice to all parties concerned—the have-nots and the haves—this provisions has been made in the Bill. Instead of waxing eloquent over imaginary grievances or over imaginary hardship to the bargadars, my friends should therefore accept it.

Dr. Monindra Mohan Chakrabarty: Sir, my friend is a master of contradiction. On the one hand he says that only those people take land in barga who have no land; therefore for the sake of subsistence they get some land in barga. In the same breath he says that they are out to destroy the land. If they have to subsist on the land they have to take care of it.

The Hon'ble Satyendra Kumar Basu: Sir, I am not interested in the controversy between the two professors. I am interested in holding the balance even between the bargadar and the owner. They must both live.

There is an Act called the Bargadars Act which was passed in 1950. The only question which arises for consideration is whether the provisions contained in the Bill are an improvement in favour of the bargadar or are they retrograde. I wish to draw my friend's attention to section 5 of the Act which has been enforced from 1950. It expressly provides that one of the grounds for eviction is that the owner requires the land *bona fide* for cultivation by himself or by members of his family or by his servants. That is also set out as one of the grounds for eviction in this Bill. We have restricted the power of the owner in this way—we have provided that he will not be entitled to resume all the land. A certain limit has been imposed and the limit is that the quantity of the land which he will be allowed to resume plus the land under his cultivation must not exceed two-thirds of his total holding. The restriction is like this. If a raiyat is the owner of fifteen bighas of land and if he has ten bighas under personal cultivation and five bighas under barga cultivation, then he is already in possession of two-thirds of his total holding. Therefore, he will not be allowed to resume any land from the bargadar. But if he has eight bighas under his personal cultivation, then he will be allowed to resume only two bighas, so that the land which he will resume together with the land under his personal cultivation will not in any case exceed two-thirds of the total holding. This is a measure greatly in favour of the bargadar. Under the present Act he can be evicted altogether on this ground from the entire land which he cultivates. My friend Shri Chattopadhyay suggested deletion of the words "or has neglected to cultivate it properly". This also appears to be one of the grounds for termination under section 5 of the Act which is in force. The ground is that the bargadar has misused the land or has wilfully neglected to cultivate it properly. No person, whether he is a bargadar or an owner undertaking personal cultivation, whatever the character of his interest in respect of the holding may be, should be permitted to allow any land to be waste or to neglect to cultivate any land. The main purpose of this legislation is that agriculture should be properly done; it should be intensified, and proper attention should be paid to agriculture. We have, therefore, provided in clause 4 that if a person converts any agricultural land to any non-agricultural purpose, the land will be taken over from him. If he does not cultivate within a certain time he must lose the land. If he neglects to cultivate it over a certain period of time the land will be taken over from him. The provision here is consistent with the provisions contained in clause 4 which has been passed by the House. In the matter of cultivation both the owner and the bargadar are interested. Therefore, we must see that cultivation is not neglected. The proposal made by my friend will cut at the root of the entire scheme and will be in conflict with the rest of the provisions of the Bill. My friend suggested.....

SJ. K. P. Chattopadhyay: I have not been given an opportunity to move my amendments Nos. 15 and 16 nor to speak on them.

Mr. Chairman: You were requested, Mr. Chattopadhyay, to make one speech covering all your amendments.

The Hon'ble Satyendra Kumar Basu: I will assume that Mr. Chattopadhyay has moved his amendments and I will answer them.

SJ. K. P. Chattopadhyay: How do you know my points before I speak on the amendments?

I beg to move that in clause 17(4), line 3, after the words "as well as" the words "two-thirds of" be inserted.

I also beg to move that in clause 17(5), line 2, after the word "acres" the words "as computed in sub-clause (4) above" be inserted.

Sir, the reason why I have suggested that in the case of bargadar two-fifths should be counted is this—where there is an owner cultivator he gets roughly, about three-fifths of the produce after paying all expenses, whereas the bargadar will never get more than two-fifths even according to what the Hon'ble Minister has put in here. Therefore in the computation some weightage should be given to this fact.

The Hon'ble Satyendra Kumar Basu: We have provided a uniform ceiling with regard to the quantity of land which would be cultivated. In every case we have provided that the ceiling should be 25 acres. A difference was made originally in the Estates Acquisition Act, which provided that an intermediary will be allowed to retain 25 acres, but it was further provided that if he held both as an intermediary and a raiyat he would be entitled to retain 33 acres. In this Bill we have provided that whatever the nature of his interest may be the right of the tiller is that he may be allowed to retain only 25 acres. The bargadar will be allowed to cultivate an area, not exceeding 25 acres including the land of which he is the owner. Likewise an erstwhile intermediary will be allowed to retain 25 acres and a raiyat also will be allowed to retain 25 acres. The proposal made by my friend is that you should have an weightage in favour of the bargadar. He says that in the case of a bargadar he should be allowed to till more than 25 acres. The proposal which he made is that clause 17(4) should be amended as follows: "No bargadar shall be entitled to cultivate more than 25 acres of land. In computing this area any land owned by the bargadar as well as two-thirds of the land cultivated by him as a bargadar shall be taken into account."

[4-30—4-40 p.m.]

That is to say, if this amendment is accepted, then the bargadars will be allowed to cultivate much more than 25 acres of land. The next amendment is a corollary to this amendment.

I oppose both the proposed amendments.

The motion of S_{j.} K. P. Chattopadhyay that in clause 17(1)(a), lines 2 and 3, the words "or has neglected to cultivate it properly" be omitted, was then put and lost.

The motion of S_{j.} Satya Priya Roy that clause 17(1)(d) be omitted was then put and lost.

The motion of S_{j.} K. P. Chattopadhyay that in clause 17(4), line 3, after the words "as well as" the words "two-thirds of" be inserted, was then put and lost.

The motion of S_{j.} K. P. Chattopadhyay that in clause 17(5), line 2, after the word "acres" the words "as computed in sub-clause (4) above" be inserted, was then put and lost.

The question that clause 17 do stand part of the Bill was then put and agreed to.

Clause 18.

The question that clause 18 do stand part of the Bill was then put and agreed to.

Clause 19.

Sj. Satya Priya Roy: Sir, I beg to move that in clause 19(2), line 2, after the words "the date of" the words "the receipt of" be inserted.

১৯ ধারায় আমি যে সংশোধনটী এনেছি তাতে আমি বলতে চাই, এখানে লিখে দেওয়া আছে যে স্টেট অফিসার বা অধোরিটির রায়ের বিরুদ্ধে যদি কোন বর্গাদার আপীল করতে চায়, তাহলে অর্ডারের তারিখের এক মাসের মধ্যে তাকে আপীল করতে হবে। এখানে আমার মনে হয় যে ভাষার মধ্যে কিছু গোলযোগ আছে। আমার মনে হয় ডেট অব অর্ডার এই জিনিষটা, অর্ডারটা কবে হয়ে যাবে, সেটা হয় ত বর্গাদারের কাছে পৌঁছাতে ১০।১৫।২০ দিনের বেশী চলে যাবে কিম্বা হয় ত এক মাস চলে যাবে এবং তারপরে দেখা যাবে যে বর্গাদারের ম্যুসেসফের কাছে আবেদন করবার সময় নেই। কারণ, অর্ডারের এক মাস পায় হয়ে গেল। সেজন্য আমার এমেন্ডমেন্ট হচ্ছে একটা ভাষাগত ব্যাপার। আমার মনে হয় রাজস্ব মন্ত্রীমহাশয়ের দৃষ্টি থেকে ভাষাগত দিকটা এড়িয়ে গেছে। তাই আমি বলছিলাম, from the date of receipt of the order.

অর্ডারের তারিখ থেকে নয়, বর্গাদার যে তারিখে অর্ডারের কপি পাবে, সেই তারিখ থেকে এক মাসের মধ্যে সে আপীল করতে পারবে ম্যুসেসফের কাছে। এটাই হচ্ছে আমার সংশোধনী প্রস্তাবের মর্ম।

The Hon'ble Satyendra Kumar Basu: Sir, the bargadar will be a party to the proceedings so that he will have knowledge of the order made by the officer in question. There is no question of his receiving any order. The order will be made by the court and it will be recorded in the records of the officer. Nobody will send him a copy of the order. He must apply for a certified copy under the ordinary law of the land. My friend is thinking of the time-lag. The time which will be taken for the purpose of obtaining a certified copy will be excluded under the Limitation Act. There is no question of any further provision being made here. I oppose the proposed amendment.

The motion of Sj. Satya Priya Roy that in clause 19(2), line 2, after the words "the date of" the words "the receipt of" be inserted, was then put and lost.

The question that clause 19 do stand part of the Bill was then put and agreed to.

Clauses 20-48.

The question that clauses 20 to 48 do stand part of the Bill was then put and agreed to.

Clause 49.

Sj. Satya Priya Roy: Sir, I beg to move that in clause 49, lines 7 to 9, the words beginning with "preference being given" and ending with "Co-operative Farming Society" be omitted.

এর পরে আমার বন্ধু অধ্যাপক নিম্মলচন্দ্র ভট্টাচার্য্যর একটা সংশোধনী আছে এবং আমাদের দুটো সংশোধনীর দৃষ্টিভঙ্গী সম্পূর্ণ পৃথক। উনি ব্যক্তিগত মালিকানায় বিশ্বাস করেন না এবং সেজন্য রাষ্ট্র সমস্ত জমির মালিক হচ্ছে। সেদিক থেকে আমার দৃষ্টিভঙ্গী পৃথক। আমার দিকে থেকে—জমির ব্যক্তিগত মালিকানায় আমি বিশ্বাস করি এবং রাজত্বদের উপর যে মালিকানা ন্যস্ত করা হয়েছে তার জন্য আমি রাজস্ব মন্ত্রীমহাশয়কে অভিনন্দন জানাচ্ছি। সেদিক থেকে দৃষ্টি রেখে আমি আমার এই সংশোধনী প্রস্তাব এনেছি। এখানে ব্যক্তি এবং কোঅপারেটিভ সোসাইটীর মধ্যে যে পার্থক্য করা হচ্ছে সেটা খুব কল্যাণকর হবে না, তার কারণ হচ্ছে যে কোঅপারেটিভ ফার্মিং সোসাইটী যারা করতে যাবে এর আগে আমি বলেছি, যারা বড় বড় জোখদার, যারা শিক্ষিত তারা কোঅপারেটিভ ফার্মিং সোসাইটি করে গভর্ণমেন্টের হাতে যে জমিগুদল আসবে, সেগুদল সেই কোঅপারেটিভ সোসাইটীর পক্ষ থেকে

তারা ভোগদখল করবেন। গ্রামের যে নিরক্ষর চাষী, তাদের এখনও পর্যন্ত সমঝার কি জিনিষ সেটা বোঝানো হয়নি। দেশের শিক্ষা আজও সর্বস্তরে প্রসার হয় নি। অবশ্য আমাকে অত্যন্ত দুঃখের সঙ্গে বলতে হচ্ছে যে আমাদের শিক্ষামন্ত্রী মহাশয় সমস্ত অধিবেশনের মধ্যে কোন দিন উপস্থিত হন নি। কাজেই কো-অপারেটিভ ফার্মিং সোসাইটী করতে হ'লে তারজন্য যে সমস্ত অর্টিকেলস্ বা মেমোরেন্ডাম বা অন্যান্য সমস্ত দলীল পাশ করতে হবে সেই সমস্ত দলীল তৈরী করতে হবে। সেটা যারা নিরক্ষর বা ছোট ছোট কৃষক, তাদের পক্ষে সম্ভবপর হবে না। আর ব্যক্তিগতভাবে ২ একরের বেশী জমি যখন নেই, এর আগে আমার বন্ধুদের সুরেন বাবু বলেছেন যে ১০ একর হলে রেমুনারেটীভ হয় না, সে জায়গায় বেশীর ভাগ লোকের হচ্ছে মাত্র ২ একর। কাজেই সেদিক থেকে যে দাবী আছে, তাদের বিপ্লবিত করে কয়েকটা বড় বড় ফার্মিং সোসাইটীকে কেন পুষ্ট করা হবে? আজকের দিনে যেখানে হাজার হাজার লোক, বাংলার বেশীর লোক জমির অভাবে চাষাবাস করতে পাচ্ছে না, সেখানে তাদের দাবীকে কেন উপেক্ষা করা হবে সেটা আমি ঠিক বুঝতে পারি না। অবশ্য কো-অপারেটিভ ফার্মিং সোসাইটী দেশে হোক, এটা আমরা চাই। তারজন্য জমি বন্টন, ভাগ শূদ্ধ তারা পাবে, তাদেরই সমস্ত সুযোগ সুবিধা দেওয়া হবে, এর আমি বিরোধী। সেইজন্য আমি বলছি যে এই ধারাতে যেখানে আছে,

"preference being given to those persons who form themselves into a co-operative society".

এই অংশটুকু বাদ দিয়ে দেওয়া হোক ৪নং ধারা থেকে।

Sj. Nirmal Chandra Bhattacharyya: Sir, I beg to move that in clause 49, line 9, after the words "Co-operative Farming Society", the following be inserted, viz.,—

"or to those among such persons who have cultivated land by his own labour or by the labour of any member of his family for a prescribed period".

Sir, in order to speak in support of my amendment it is necessary to explain very shortly the principle behind clause 49. Sir, the principle of distribution of land is that it has to go to the residents of the locality, and these residents must fulfil also certain other conditions—not all of them, at least one of those conditions, that is to say, they must bring the land under personal cultivation, and if they own land the area of which is less than two acres, preference in the first place will be given to co-operative farming societies. I support the principle of giving preference to co-operative farming societies because as a progressive State believing in maximising production of land, it is desirable that we should aim at development of large-scale farming. Large-scale farming cannot be developed unless we encourage the cultivators to join co-operative farms. Therefore, the preference that is suggested to be given to co-operative farming societies is a very desirable principle. It contains elements of progress and I believe that persons who want to form themselves into co-operative societies should be specially favoured. I also think, Sir, that in the interest of social justice cultivators who have cultivated the land by their own hands for a prescribed period will also be given preference. That is the point that I am emphasising in the amendment.

[4.40—4.45 p.m.]

Help co-operative farming societies by all means, but amongst the people who are to be given preference include also those cultivators who cultivate lands with their own hands. My idea is to secure that land principally goes to the benefit of the cultivators themselves, the tillers of the soil who belong to the locality. That is the point that I am emphasizing. These

people are in a very bad state today. It is desirable, therefore, that they should be given preference so that they may be economically rehabilitated and may form a very useful part of the great community of West Bengal.

8j. Mohitosh Rai Choudhury:

এই দুইটি এ্যামেন্ডমেন্টেই আমি আপত্তি করি। আমি শুনে অত্যন্ত খুসী হলাম যে আমার বন্ধু সত্যপ্রিয় বাবু পেজান্টের ইনডিভিজুয়েল প্রোপ্রাইটরশিপ অর্থাৎ পেজান্ট প্রোপ্রাইটরশিপ সাপোর্ট করেন। তিনি যে এ্যামেন্ডমেন্ট এনেছেন তাতে সারপ্লাস ল্যান্ড ভাগের সময় যারা কো-অপারেটিভ সোসাইটী করবে তাদের প্রেফারেন্স না দিয়ে ইনডিভিজুয়েল বা ব্যক্তিগতভাবে যারা চাষ করে “ইন দি ভিলেজ” তাদের তিনি প্রেফারেন্স দিতে বলেছেন। তাঁর তরফ থেকে

I can understand this amendment.

কিন্তু তিনি একটা বড় কথা এখানে ভুলে গিয়েছেন যা পূর্বে বর্ণিত বস্তু অন্য যে এ্যামেন্ডমেন্ট মূড করেছেন তাতে বলেছেন। কথাটি এই যে কো-অপারেটিভকে আমরা যদি এনকারেজমেন্ট না করি তাহলে প্রডাকশন মোটেই বাড়বে না। কাল আমার বক্তৃতায় আমি বলেছিলাম সমস্ত

Intelligent rational form of agrarian reform.

এরই একমাত্র উদ্দেশ্য হবে কি করে জমির ইন্ড বা প্রোডাকশন বাড়ান যায় তার ব্যবস্থা করা। আমাদের দেশে ফ্র্যাগমেন্টেশন অফ টেনেন্সরী ফলে এত বেশী প্লট পিসেস অফ ল্যান্ড হয়েছে এবং পরে আরও হবে (আজ যাদের ২৫ একর করে জমি দেওয়া হচ্ছে সেই রায়তের যদি ৪।৫টি ছেলে হয় এবং রাইট হেরিটেবল হয় তাহলে তো এক জেনারেশনএর মধ্যেই সেই ২৫ একর জমি ২।০ বিঘার ছোট ছোট খণ্ডে এসে পরিণত হবে) এবং এখনও দুই-তিন বিঘার বহু জোত আছে—এদের কনসলিডেশন করে যদি কোঅপারেটিভ ফারম না করেন তাহলে কখনো প্রোডাকশন বাড়বে না। আর এক কথা, তিনি ভাবছেন যে কো-অপারেটিভ ফারম করবে তারা যাদের ২৫ একর করে জমি দেওয়া হচ্ছে। এটা ভুল। বেশী জমি যাদের আছে তারা কো-অপারেশন ফারম বড় করবে না। কো-অপারেটিভ ফারম করবার তাগিদও ততটা তাদের হবে না যতটা হবে যাদের ছোট ছোট প্লট অফ ল্যান্ড আছে তাদের। আর যদি তাদের দিক থেকে তাগিদ নাও হয় তাহলেও ইন দি ইন্টারেস্ট অফ দি স্টেট, স্টেটএরই মঙ্গলের জন্য আমাদের সকলেরই চেষ্টা করতে হবে যাতে সেই সমস্ত ছোট ছোট প্লট অফ ল্যান্ডের ওনাররা কো-অপারেটিভ ফারম করে। আমার মনে হয় এই বিলএ জমি ভাগ করার যে ব্যবস্থা হয়েছে—কাদের মধ্যে জমি বন্টন করা হবে, এই বন্টন ব্যাপারে কাদের অগ্রাধিকার দেওয়া হবে, এসব যদি ভাল করে দেখতেন তাহলে নিশ্চলবাবু তাঁর এ্যামেন্ডমেন্ট আনতেন না। কি করে সারপ্লাস ল্যান্ড ভাগ করতে হবে দেখুন—

“Settlement of lands which are at the disposal of the State Government shall be made on such terms and conditions and in such manner”

এটা ভাল করে দেখুন—

“in such manner as may be prescribed that persons who are residents of the locality”—note this thing—“where the land is situated and who intend to bring the land under personal cultivation and who own no land or less than two acres of land”

[4-45—4-50 p.m.]

যাদের কোন জমি নেই বা যাদের লেস দ্যান টু একরস অফ ল্যান্ড আছে তাদের দাবী অগ্রগণ্য করা হবে—কেবল মাত্র কো-অপারেটিভ ফারম করতে চায় যারা সেই কো-অপারেটিভ ছাড়া। কো-অপারেটিভ ফারম করবার যেখানে চেষ্টা হবে, সেখানে কো-অপারেটিভকেই প্রেফারেন্স দিতে হবে। অন্য ক্ষেত্রে যাদের কোন জমি নেই বা লেস দ্যান টু একরস অফ ল্যান্ড আছে অর্থাৎ যাদের জমি ইকনমিক ইউনিটএর কম, তাদের জমি দিতে হবে। নিশ্চলবাবু যে এ্যামেন্ডমেন্ট তাতে তিনি বলেছেন প্রেফারেন্স দিতে হবে তাদের

“or to those among such persons who have cultivated land by his own labour or by the labour of any member of his family for a prescribed period”.

এর মানে হচ্ছে এই যে যাদের জমি নেই তাদের প্রেফারেন্স দেওয়া হবে না, তিনি চান যারা চাষ করে আসছে তাদেরই প্রেফারেন্স দিতে হবে। এটার কোন মানে হয় না। যারা বরাবর চাষ করে আসছে তাদেরই তিনি প্রেফারেন্স দিতে চান কেন জানি না।

Sj. Nirmal Chandra Bhattacharyya:

আগেরটা বাদ দিচ্ছি না, সেটা তো রয়েছে।

Sj. Mohitosh Rai Chowdhuri:

প্রেফারেন্স বক্সে সেটা বাদ পড়ে যায়। আপনি বলেছেন,

“or to those among such persons who have cultivated land by his own labour or by the labour of any member, etc.”

অর্থাৎ আপনার এ্যামেন্ডমেন্ট অনুসারে প্রেফারেন্স দিতে হবে দুই দলকে যারা কো-অপারেটিভ ফার্ম করবে তাদের এবং যারা চাষ করে আসছে তাদের। ধরুন যেখানে ক্রেমান্ট তিনটি পার্টি, যাদের জমি নেই তারা বলছে আমরা জমিহীন, জমিটা আমাদের দিন, কো-অপারেটিভ ফার্ম যারা করবে তারা বলছে ল্যান্ডটি আমাদের দিন, ভাল করে কালটিভেশন করে বেশী করে আমরা প্রোডাকশন করবো। আর এক দল বলছে, আমরা এতদিন ধরে চাষ করে আসছি ওরা চাষের কিছু জানে না, জমিটা ওদের না দিয়ে আমাদের দিন, ভাল করে চাষ করি, এদের মধ্যে কাদের দাবীকে অগ্রাধিকার দেবেন?

Sj. Nirmal Chandra Bhattacharyya: On a point of personal explanation. My amendment includes persons who are landless but who cultivate themselves, i.e., who are themselves cultivators. That is the point.

Sj. Mahitosh Rai Chowdhuri:

এটা যদি মুন্ডারের মনের ভিতর থাকে তাহলে কিছই বলতে চাই না। কিন্তু ভাষায় তিনি যা বলেছেন তার মানে অন্য রকম। তিনি প্রেফারেন্স কাদের দিতে চেয়েছেন।

“or to those among such persons who have cultivated land by his own labour or by the labour of any member of his family.”

কারা আছে? এ্যামগ সাচ পারসনস যাদের কোন ল্যান্ড নেই তারাও। তাদেরকে কেমন করে তিনি তাঁর এ্যামেন্ডমেন্টের মধ্যে আনেন বড়ি না। যাদের কখনও কোনও ল্যান্ড নেই তারা কালটিভেশন করে থাকবে কি করে?

Sj. Nirmal Chandra Bhattacharyya: They include landless labourers who are cultivators.

Sj. Mahitosh Rai Chowdhuri:

অতএব নিশ্চলবাবু যাই বলুন না কেন তাঁর এ্যামেন্ডমেন্টের মানে যাদের ল্যান্ড নেই তাদের অপেক্ষা যারা চাষ করে আসছে তাদেরই প্রেফারেন্স তিনি দিচ্ছেন। আমার মনে হয় এটা অসঙ্গত ও অন্যায্য, এইসব কারণে আমি সত্যপ্রিয়বাবুর ও নিশ্চলবাবুর দুটো এ্যামেন্ডমেন্টই অপোজ করছি।

The Hon'ble Satyendra Kumar Basu: Sir, the principles for distribution of land which will be available upon the scheme being worked out are set out in clause 49 of this Bill. The conditions upon which land will be distributed are very sound and salutary.

Sir, my friend Sj. Satya Priya Roy has suggested that we must omit that part of the provision which refers to “preference being given to those among such persons who form themselves into a Co-operative Farming

Society" and my friend Professor Bhattacharyya has suggested that in giving preference those persons who intend to form co-operative societies and those persons who have cultivated land by their own labour or by the labour of any member of their family for a prescribed period should be put on the same footing. These, I understand, are the intentions of the honourable members who have put forward the amendments.

Let us see what are the conditions in clause 49. The terms, conditions and the manner will be prescribed, but the principal conditions are set out in that clause. Land should be settled with persons who are residents of the locality. You cannot settle a piece of land available in the district of Hooghly with a man in the district of Darjeeling. Therefore, he must be a resident of the locality and it is perfectly right that a resident of the area should be preferred to an outsider not only from the point of view of convenience but also in the interest of agriculture. Then it must be settled with a person who intends to bring the land under personal cultivation. "Personal cultivation" has been defined and the definition has been accepted so as to include cultivation by a servant or labourer upon payment of wages in kind or cash or both.

[4-50—4-55 p.m.]

Therefore, you cannot alter it. Now, you ought not to settle any land with a person who either does not actually cultivate or intend to bring it under personal cultivation. I shall tell you why the expression "intend to" has been used. The language has been used because we are also contemplating that class of people who take training in agricultural colleges and schools for the purpose of making a living on agriculture. They may not have any land, so that we have made a provision that any person who is seriously interested in agriculture may be allotted land. Then we have limited the distribution to persons who have no land or who have less than two acres of land. We have also provided that preference should be given to persons intending to form themselves into a Co-operative Farming Society. One of the principal purposes of this Bill is to give an incentive to the holders of tiny fragments to form compact blocks, to consolidate their holdings and to bring the entire land under effective cultivation. Therefore, the principal drive here is that a certain amount of inducement and pressure should be exerted, so that Co-operative Farming Societies may be formed in the interests of and to secure effective means of cultivation. Therefore, Sir, we have provided that preference should be given to persons who intend to form themselves into Co-operative Farming Societies. And by way of inducement we have provided that such co-operatives will be given seeds and manure free of charge for a period of three years and then at concessional rates. They will also be given financial assistance. They will further be given technical advice and so on and so forth. The whole idea is that we must encourage the formation of co-operatives not only for the purpose of production but also for marketing.

Sir, I am unable to accept any of these proposed amendments.

With regard to the amendment proposed by my friend Professor Nirmal Bhattacharyya, the House has already accepted the definition of personal cultivation, and we have provided that all categories of people will be allotted land provided the conditions are satisfied. Persons do not form co-operative societies—even they will be given land if they satisfy the conditions laid down there. If I accept the definition of my friend, there is another difficulty and that is this that people who are not actually cultivating land, namely, the graduates from agricultural colleges and

schools, as I have just mentioned,—we have started these agricultural institutions for the purpose of giving training to such people—they will not have any land. It will be profitable to allot land to them.

Sir, I oppose both the proposed amendments.

The motion of Sj. Satya Priya Roy that in clause 49, lines 7 to 9, the words beginning with “, preference being given” and ending with “Co-operative Farming Society” be omitted, was then put and lost.

The motion of Sj. Nirmal Chandra Bhattacharyya that in clause 49, line 9, after the words “Co-operative Farming Society” the following be inserted, viz.,—

“or to those among such persons who have cultivated land by his own labour or by the labour of any member of his family for a prescribed period”,

was then put and lost.

The question that clause 49 do stand part of the Bill was then put and agreed to.

Clauses 50 to 60.

The question that clauses 50 to 60 do stand part of the Bill was then put and agreed to.

[4-55—5 p.m.]

The Hon'ble Satyendra Kumar Basu: Sir, I beg to move that the West Bengal Land Reforms Bill, 1955, as settled in the Council, be passed.

Sj. K. P. Chattopadhyay: Sir, I do not wish to add to what I have already pointed out. I have tried in the course of discussion of the different clauses of the Bill to safeguard the position of the cultivators. Unfortunately, some of these constructive criticisms have been misunderstood, others have been rejected by the planned wall of granite which seems to be the opposite side of the House. Under clause 4 of the Bill the holding of the raiyat is hereditary and transferable. I suggested that some provision should be made to safeguard the transfer of such holdings only to genuine cultivators and not to persons who are not cultivators. Under section 13 there is a restriction for transferring any raiyat's land who belongs to a scheduled tribe to a person who does not belong to a scheduled tribe. So I suggested that the transfer in the first instance should be only to a person who is a cultivator and not to others. Unfortunately the honourable member in charge of the Bill referred to the principle of distribution as a safeguard but that is completely different. It refers to excess lands which the Government took over. He did not give any reply to it and the suggestion for safeguarding the transfer of land only to a raiyat which is essential for a raiyat, specially for a poor raiyat in view of the fact that small holdings do not pay has not been accepted. Every year certain percentages are sold out for indebtedness, but this point has been completely overlooked by the honourable member.

The second point was that there should be logical coherence in the allotment of shares of crops to various persons. That suggestion also has fallen flat; the majority has overthrown that suggestion. My third point was that there was no adequate provision to help landless cultivators. It has been suggested that they will be given some lands and they will be able to form themselves into co-operatives, but co-operatives cannot be so easily formed by people who have just received some lands by distribution.

They also require a certain amount of capital to run the show, and also a reserve for sustaining themselves till crops ripen. Those who are acquainted with the state of affairs in the last great famine of 1943 know that nets were given to fishermen who lost their boats, but no capital was given to them to maintain themselves until they could catch fish and eventually rehabilitate themselves. The result was that the small amount of money was spent for maintaining their body and soul together. That is likely to happen in the case of these people who are being given lands. I suggested specifically the solution was to form State Co-operatives but one of my friends opposite suggested that this would be a gesture of a totalitarian State. I am not aware whether helping the Jadavpur University or the Calcutta University would be a gesture of a totalitarian State. State help is essential and as a matter of fact State's money is people's money. It is not the property of the people who run the State. Hence the suggestion was made. We are aware that unless such a step is taken the attempt to rehabilitate such landless people by giving such loan will not succeed as it happened during the great famine. Certain opportunities have been given to provide free lands, there is of course no question of purchasing lands. I hope I am right.....(The Hon'ble SATYENDRA KUMAR BASU: I hope you are right.) The Ministerial mind is so subtle that we cannot hope to probe properly into it. (The Hon'ble SATYENDRA KUMAR BASU: I categorically said so. You were not present then in the House).....Well, Sir, it has been said that this particular Bill will bring welfare to the people. Sir, as I remarked during the first reading, and I say again that unless the lot of the peasant is improved, unless his position is completely safeguarded, unless the large element of share croppers who are inevitable in the present state of economy, unless the poor peasant gets adequate share of the crop to purchase the necessities of life, you will not be able to do proper justice to the plans for the development of the State as a whole.

[5—5.5 p.m.]

What is happening is this. You are giving them small amount of concessions. You are not doing the proper thing and at the same time when demands are coming for proper safeguards you are merely pointing out to certain clauses for distribution of land and expecting that this will do the whole trick.

Dr. Monindra Mohan Chakrabarty:

মাননীয় অধ্যক্ষ মহোদয়, আমরা এই যে ভূমি-সংস্কার বিল কিছুক্ষণের মধ্যেই পরিষদের মঞ্জুরী সমেত আইনে পরিণত করবো, তার ফল যে অত্যন্ত সুদূরপ্রসারী হবে সে বিষয় কোন সন্দেহ নাই। অতএব যেমন এই আইনের কাজ সার্থক হবে বলে আমাদের সরকার পক্ষীয় বন্দুগণ আশা করেন, তেমনি বিরোধী পক্ষের যারা আছেন, তাঁদেরও একান্ত আশা ছিল এই যে যুগান্তকারী বলে অভিহিত করা যেতে পারত এমন যে একটা আইন, এই আইন যাতে সর্বাঙ্গ সুন্দর হয়, তার জন্য আমরা কতদূর চেষ্টা করেছি সেটা দেখা উচিত ছিল। আমরা জানি যে প্রত্যেক আইনেরই কতকগুলি হুটী থেকে যায়, সেই হুটী অনেক সময় অনিবার্য হয়ে পড়ে বিভিন্ন কারণে। কিন্তু, আমরা যেটা বলতে চেরোঁছি এবং দেখাতে চেরোঁছি ভিন্ন ভিন্ন সংশোধনীর মারফত, তাতে এইটুকু আশা করি যে এই পরিষদের সামনে সেটা উপস্থাপিত করতে পেরেছি। ভূমি সংস্কার আইনের যেটা প্রধান কাজ, যে জন্য আমরা বহুকাল ধরে আন্দোলন করে আসছি, সেটা হচ্ছে কেবল মত মধ্যমবিত্ত অধিকারী লোপই নয়, জমি যাতে স্বার্থক প্রয়োগ হয়, এবং মনোস্তাত্ত্বিক দিক দিয়ে যারা এই জমিকে ফলপ্রসূ করেন তাঁদের মনের পরিবর্তন হয়। কিন্তু সেটা এই আইনের দ্বারা সাধিত হতে পারে না। আমরা দৃষ্টির সঙ্গে দেখতে পাচ্ছি যে ঠিক ভালভাবে দেখতে গেলে, এই আইনের যে উদ্দেশ্য বর্ণনা

করা হয়েছে এবং প্রথম যে ভাবে আইনটা বিধিবদ্ধ হতে চলেছে তাতে সেই উদ্দেশ্য সাধিত হবে না। অর্থাৎ যারা জমির প্রকৃত মালিক, যারা ভূমিহীন চাষী তাদের মনের মধ্যে, এই পক্ষে যেটুকু উৎসাহ সৃষ্টি হতে পারত, সেই উৎসাহ আমরা আনতে পারবো না।

স্বতীয়ত নানা কারণে আইনের ফাঁকের মধ্যে দিয়ে এই সব মধ্যস্থতাবিধিকারীর প্রতিভূদের নানা ভাবে রাখার চেষ্টা হচ্ছে, এটা সরকার পক্ষ একটু সচেতন হলেই বন্ধ করতে পারতেন।

তৃতীয়তঃ এই যে সমবায়ের সম্ভাবনা এই বিলের মধ্যে রাখা হয়েছে তার মাধ্যমে বিভিন্ন রকমের শ্রেণী স্বার্থকে বজায় রাখবার একটা চেষ্টা আছে। অতএব ভূমি সংস্কার বিলটি যে ঠিক মত সার্থক হতে পারবে না, এ বিষয় এখন থেকেই আমাদের মনে সন্দেহ হচ্ছে। কালকে যখন আমি মাননীয় মন্ত্রী মহোদয়কে জিজ্ঞাসা করেছিলাম এই যে রাজস্ব আদায় করবার জন্য যে যন্ত্রের সৃষ্টি হবে, যে সমস্ত কর্মচারী নিয়োগ করা হবে তার জন্য তো খরচ পড়বে এবং তার সঙ্গে তুলনা করলে জমিদারী-প্রথা থাকা কালে যা খরচ করা হ'ত, তার পার্থক্য কি, এবং এখন কি অবস্থা দাঁড়াবে? তখন তিনি বললেন এক কোটী টাকা ন্যাক খরচ পড়বে এবং ৫১১ কোটী টাকা করে রাজস্ব আদায় হবে। তখন আমরা বলেছিলাম এই ৫১১ কোটী টাকা রাজস্ব আদায়ের চেষ্টা না করে, যদি এটাকে মুকুব করে দেওয়া যায়, এবং অন্য ভাবে ফলন বাড়িয়ে কর ধার্যের চেষ্টা করা হতো, তাহলে তাতে কৃষকের মনে যতখানি উৎসাহ সৃষ্টি করা যেতে পারত, তা এই রাজস্ব নিষ্পারণের দ্বারা হবে না। উর্নি কি উদ্দেশ্যে অধ্যাপক চট্টোপাধ্যায় মহাশয়ের কথার পুনরুক্তি করে বললেন যে তিনি সব সময় অংক কষার ধার ধারেন না।

[5-5—5-15 p.m.]

শোনা যাচ্ছে সমস্তটা ৮ হাজার তহসিলে বা ব্লকে ভাগ করা হবে এটা খবরের কাগজে বেরিয়েছে। এখনে কিছু কর্মচারী থাকবেন জটিল আইনের প্রয়োগ তাঁরা করবেন ও নানাবিধ বিরোধ নিষ্পত্তি করবেন। যদি এক একটী ব্লকে মাসে পাঁচশো টাকা করে খরচ হয়, তাহলে দেখা যাচ্ছে বছরে ৪ কোটী ৮০ লক্ষ টাকা খরচ হবে। অর্থাৎ প্রায় ৫ কোটী টাকার মত বছরে খরচ হবে। এর পরিবর্তে আমাদের যে সমস্ত কর আমরা আদায় করতে পারি নাই সেগুণি যদি আদায় করতে পারতাম যেমন আমাদের মাননীয় বন্ধু অন্নদা প্রসাদ চৌধুরী বলেছেন যে সেল্ ট্যাক্স অনাদায় থাকে, সেটা যদি আদায় করতে পারতাম, তাহলে এই রাজস্ব আদায় করবার দরকার হ'ত না, সে এক কোটী টাকাই হোক, বা পাঁচ কোটী টাকাই হোক। তার যে ফল হ'তো সেটা আরও ব্যাপক হতো।

এই যে সমস্ত ছোট ছোট কৃষক বর্গাদার হিসেবে জমি পাবেন বা অন্যভাবে জমির বন্দোবস্ত করতে পারবেন, তাদের সেই সমস্ত সুযোগ সুবিধা দেওয়া হবে না, যে সমস্ত সুযোগ সুবিধাগুণি সমবায় সমিতিতে দেওয়া হচ্ছে। তাদের সে সুবিধা থেকে বঞ্চিত করা হচ্ছে, আর সমবায় সমিতিতে অনেক সুবিধা দেওয়া হচ্ছে। এই যে পার্থক্য করা হচ্ছে এটা এই আইনের প্রয়োগের পক্ষে খুব সুবিধাজনক হবে না।

যাহোক আমরা তাদের শুব্দবৃদ্ধির উদয় আশা করবো এবং ভবিষ্যতেও এই আশা করবো যে এই আইনের প্রয়োগের পরে ভবিষ্যতে এমন একটা আইন তাঁরা আনবেন, যাতে এই আইনের সমস্ত গুণীবিচুতিগুণি আদৌ থাকবে না।

8j. Nirmal Chandra Bhattacharyya: Sir, at this penultimate stage of the discussion my remarks would be very brief indeed. We cannot but remember today that the Bill that we are going to pass today is the result of a long struggle which began possibly in the latter part of the 18th century with the Sannyasi rebellion. It was followed by peasant revolt on a wide scale in the different parts of the West Bengal. We recall in this connection the peasant revolt led by Titu Mir and Didu Mir of Santal Rebellion of 1855 and 1856—the Indigo Rebellion of 1860—peasant revolt in Pabna and Bogra in 1872. The changes that are going to take place today are the result of a long struggle by the peasants themselves and I

believe, Sir, that though we have not got the best possible, we have got something upon which we can take some pride and I believe this may be a very good beginning of further progress. Some differences have arisen between the Congress benches and ourselves on this side. The differences are, I believe, of a fundamental nature. I call them fundamental because they arise out of differences in principles. We believe in socialism pure and simple and you believe in what you call a socialistic pattern of society. We do not know what it means but I think our differences stem from this difference of principle. I recognise that this Bill contains some desirable principles—one of the principles claimed to be desirable by many is the principle of peasant proprietorship. I am not in agreement with it. But I notice that it has had a very wide scale support from our country people and therefore I am prepared to regard it as a progressive principle; but I call it progressive only relatively, not in the absolute sense but only in a relative sense. At any rate it is certainly an improvement upon the state of affairs that were prevailing before we contemplated the Estates Acquisition Act and the present Bill. The limitations that have been put upon transfer, mortgage and alienation of land also contain another very desirable principle. Our Hon'ble Minister has argued that the bargadar has been given some protection in so far as the principle of limited resumption has been accepted. I agree that the principle of limited resumption emphasised by the Planning Commission is a desirable principle and I am glad that this principle has been incorporated into the body of the Bill. But I feel, Sir, that the protection that the bargadar has received in this Bill is not enough and we are hoping that greater protection will be afforded to the bargadar in the near future. I have no doubt that the Minister concerned will be forced to do so in view of his unsavoury experience which is bound to disturb his present complacency. I welcome the principle of large scale farming. It is stated in the shape of co-operative farm. I am hoping, Sir, that from co-operative farm we will go over in the near future to collective farming also. Large scale farming is really a solution of the food problem and a solution of the problem which the rural population have to face today. I believe, Sir, that our Minister will keep this in view and bring forward a suitable legislation in the near future in order that arrangements may be made for switching on to co-operative farming also. The principle of distribution of land has been objected to by some. I am one of them. But the principle stated in the Bill is not altogether undesirable. It seeks to give preference to co-operative farms and then to the residents of the locality and people who own less than two acres of land. I wish, Sir, he had accepted my amendment according to which landless labourers would have received some further protection. The proportion of distribution of produce between the landlord and the bargadar—the owner and the bargadar—is an improvement in certain parts of Bengal—not in all—upon the existing state of affairs and I am glad, Sir, that the Hon'ble Minister has accepted it; but I know it for certain that in many parts of Bengal the proportion agreed to today and proportion upon which the system is being worked is 63 2/3 and 33 1/3. In those parts of Bengal I think great dissatisfaction will be caused by the proposal of the Hon'ble Minister.

[5-15—5-25 p.m.]

Sir, at this stage I do not want to enter into details. Before I conclude I would congratulate the Hon'ble Minister-in-charge of the Bill on the commendable patience and perseverance that he has displayed. I have seen him at work in the Select Committee in the Assembly and also here and though he has not been very helpful so far as our suggestions are concerned, he has however tried to defend his case with some ability which is really

remarkable. We are hoping, Sir, that this will be just a beginning and if we regard this just as a beginning of further progress, I have no doubt that this Bill may really be converted into a great instrument of progress of the rural population of Bengal.

Sir, one word more and I will finish. The worth of a measure does not depend on the words that we find in the Act. It depends really upon how it is worked, how it is implemented. In the implementation of the measure we ought to keep in view always the interests of the poor. Mahatma Gandhi writing to a friend of mine in the University of Calcutta said that "Whenever you think of a policy or a measure, think of the poorest of your countrymen and behave in such way as to do good to him." And I believe, Sir, all concerned, particularly the administrators will remember that the success of the Act in terms of social welfare will depend upon how it is put into effect. Thank you, Sir.

Sj. Satyapriya Roy:

মিঃ চেয়ারম্যান, স্যার! কিছু বলব না বোলেই ঠিক করেছিলাম, কিন্তু নিম্নলিখাবার বলার পর কিছু বলার প্রয়োজনীয়তা আছে মনে করছি, সেটা জমিবন্টন নীতি নিয়ে। এই জমি বন্টন নীতি সম্পর্কে যখন আলোচনা হয় তখন আমি সংশোধন দিয়েছিলাম যে কো-অপারেটিভ সোসাইটীগুলোকে কোন রকম প্রেফারেন্স দেওয়া উচিত নয়। সেটার সম্পর্কে মন্ত্রীমহাশয়কে বলেছি যে যখন ডিস্ট্রিবিউশন করতে যাবেন, এই আইন যখন বলবৎ করতে যাবেন তখন যে ৬ লক্ষ একর জমি তাদের হাতে আসবে বলেছেন ঐ জমিগুলি জমিদারদের বণ্ডিত কোরে কো-অপারেটিভ সোসাইটীগলোর ভিতর নিয়ে নিতে চেষ্টা করা যেন না হয়। নিম্নলিখাব বলেছেন কো-অপারেটিভ ফার্মিং, কলেক্টিভ ফার্মিংএর দিকে যেন সোস্যালিস্টিক টেট যায়। সকলেই চাইবে তা, কিন্তু আজকের দিনে কো-অপারেটিভ সোসাইটী বা কলেক্টিভ ফার্মিং করার অর্থ হচ্ছে সেই যে দরিদ্র কৃষক তাদের বণ্ডিত কোরে বড় বড় ফার্ম গড়ে তোলা, যার ফলে দরিদ্র কৃষকের মধ্যে জমি সমভাবে বন্টিত হবে না এবং মাল্টিমেয় কয়েকজনের মধ্যেই তা সীমাবদ্ধ হয়ে পড়বে। কাজেই আজকের দিনে কো-অপারেটিভ ফার্মিং ও কলেক্টিভ ফার্মিংএর কথা বলা এ যেন ঘোড়ার আগে গাড়ীকে জুতে দেওয়ার মত। আগে ব্যক্তিগত মালিকানা বিশেষ কোরে দিতে হবে, এবং ছোট ছোট জমির মালিকদের যাদের ২ একর জমি আছে, অথবা একেবারে জমি নেই অথবা এমন জমি আছে যে জমির আয় থেকে তাদের পরিবার পোষণ করা যেতে পারে না তাদের দিকে লক্ষ্য রেখে জমি বন্টন করুন, এই বিল চূড়ান্তভাবে বলবৎ করবার পূর্বে মন্ত্রীমহাশয়কে এই আবেদন জানাব।

The Hon'ble Satyendra Kumar Basu: Sir, I thank my friends, particularly Professor Bhattacharyya who was in the Select Committee, for assisting us in framing a Bill which will sufficiently meet the situation and be for the benefit of the real cultivator. I thank Professor Bhattacharyya for acknowledging the salient and salutary features contained in the Bill and for the words of kindness he has said about me.

Sir, my friend Shri K. P. Chattopadhyay seems to have some doubt about the free distribution of land which will be available to the State Government for the purpose. I will draw his attention to clause 49 where there is an express provision to this effect—"Provided that no premium shall be charged for such settlement". That question has been set at rest. I do not think there is very much that I need say at this stage because the points which my friends thought were important have been discussed on both sides of the House. My friend Shri K. P. Chattopadhyay says that in the case of members of scheduled tribe we have made a provision that no land should be transferred by a member of that tribe to a person who is not a member of that tribe. He has suggested that a like provision should be made as regards transfers by other owners so as to prohibit transfers to

a person who is not a cultivator. I think I mentioned on a previous occasion that in clause 4 of this Bill there is a provision for the same purpose, clause 4(a) provides that the land of an owner or raiyat will be sold if he has without any reasonable cause used the land comprised in the holding or a substantial part thereof for any purpose other than agriculture; that is to say, his land will be sold if he has converted it to a use which is not a purpose of agriculture. Then it goes on to say in sub-clause (b) that it will be sold if without any reasonable cause he has ceased to keep the land under personal cultivation for a certain number of years. Therefore, if he has allowed it to lie fallow, then the land will be sold. Then in sub-clause (c) we have provided that the land will be sold where the raiyat has without any reasonable cause failed to cultivate the land for three consecutive years. Therefore, we have provided three safeguards. On any one of the three contingencies happening the land will be sold. Therefore the transferee must be a person who must undertake cultivation. He must cultivate within a specified time and must not allow the land to lie fallow during a period mentioned in the clause. Therefore a safeguard is provided here. Then, Sir, my friend has said that no adequate provision has been made for the landless. He has no faith in co-operative societies. These are matters of opinion.

Sj. K. P. Chattopadhyay: Have I said that I have no faith in co-operative societies?

The Hon'ble Satyendra Kumar Basu: You said that it will not fructify. Having regard to the conditions prevailing here you do not think that the co-operative societies will prosper.

Sj. K. P. Chattopadhyay: I said that unless State help is given landless labourers will not be able to develop co-operatives.

The Hon'ble Satyendra Kumar Basu: There is no question of landless labourers forming co-operative societies. It is only people who have land who can form co-operative societies, and enough State assistance has been provided for in the Bill. We have provided in the Bill State aid in various directions. I need only draw his attention to the relevant clause. State aid is provided in clause 48, viz.—such reduction of revenue as Government may allow; free supply of seeds and manure for the first three years and thereafter at concessional rates; free technical advice by the experts of the State Government; financial assistance on such terms and conditions as may be prescribed; arrangements for better marketing. That is all that an agriculturist needs.

Then, Sir, my friend Dr. Chakrabarty has said that there have been so many transfers, and so on and so forth. It is not possible for any Government to prevent any private transfer. My friend seems to forget that this House amended the Estates Acquisition Act by providing for a machinery for enquiring into transfers after the 5th of May, 1953. It is only to be expected that people will try to circumvent the provisions of the Act. We have anticipated that and we have made a provision which will meet the situation which has been created by these improper transfers. My friend Dr. Chakrabarty is very impatient. He said "how much are you going to spend? If you are going to spend Rs. 4 crores, what is the good

of collecting any revenue. You give up all revenue." That is his advice. He knows some of the facts. He said that there are 8,000 tahsils. He knows that there are 8,000 tahsils—I think he is correct. That number he multiplies by a very convenient or imaginary figure.

[5-25—5-28 p.m.]

Then he makes up a total fictitious figure of 4 crores of rupees and says give up the revenue. My friend knows that there is a Tahsildar for a tahsil and the Tahsildar gets a monthly allowance of Rs. 27 plus a commission which varies from $2\frac{1}{2}$ per cent. to $4\frac{1}{2}$ per cent. Therefore the figure 500 is entirely fictitious.

Dr. Monindra Mohan Chakrabarty: It was reported in the papers.

The Hon'ble Satyendra Kumar Basu: I do not care what is reported in the papers. This is an absolutely imaginary figure.

Sir, it is not possible at the present moment to give up revenue altogether because certain expenses have to be made. My friends will remember that on a previous occasion, I think it was in the Assembly, the Chief Minister indicated that he hoped that time may come when we may be able to remit the entire revenue, but before that Government will have to make some collection in order to meet the expenses and liabilities and carry out obligations.

My friend Shri Satya Priya Roy has suggested that there should be distribution of land to the landless and that co-operatives ought to be left out. You will appreciate that conditions differ from village to village. In a particular village we may get more land and there may be enough to go round; then in another village there may be more bargadars than landless labourers or there may be more landless and more small owners. You have to study conditions prevailing in a particular area. You have to find out what quantity of land is available, how they are situated in relation to the lands of the different persons. Then on that basis you have to find out what is the most convenient and more effective method of distributing land which may be available in a particular area. Therefore, we have provided in the clause that land should be settled with persons who are residents of the locality. That is a condition which must be fulfilled because it is no use giving land to persons who live elsewhere. Then we have said that land must be settled with landless persons. It may be given to persons who hold land below 2 acres. We have further provided that conditions being equal preference should be given to persons who intend to form co-operative society. That is the principal purpose of this legislation. We want co-operative societies to be formed all over the State. The State is prepared to give assistance in whatever manner possible in the hope that agricultural production will increase and be intensified.

The motion of the Hon'ble Satyendra Kumar Basu that the West Bengal Land Reforms Bill, 1955, as settled in the Council, be passed was then put and agreed to.

Prorogation

Mr. Chirman: Honourable Members, I have it in command from His Excellency the Governor that the Council do now stand prorogued.

[Prorogued at 5-28 p.m.]

Members absent.

Bagchi, Dr. Narendranath,
Banerji, Sj. Sankar Das,
Basu, Sj. Gurugobinda,
Bose, Sj. Subodh Kumar,
Mahanty, Sj. Charu Chandra,
Mohammad Jan, Janab Shaikh,
Mohammad Sayeed Mia, Janab,
Mookerjee, Sj. Kamala Charan,
Nahar, Sj. Bijoy Singh,
Prodhan, Sj. Lakshman,
Sanyal, Dr. Charu Chandra,
Sarkar, Sj. Pranabeswar, and
Sen, Sj. Debendra.

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[(Q) Stands for question.]

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